

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

1

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
STATE OF GEORGIA,  
Defendants.  
-----

) CIVIL ACTION  
) NO. 1:16-cv-03088-ELR  
)  
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)  
)  
)  
)  
)

VIDEOTAPE DEPOSITION OF  
WILLIAM MATTHEW JONES

Tuesday, January 10, 2023, 9:06 a.m., EST

HELD AT:

Robbins Firm  
500 14th Street, N.W.  
Atlanta, Georgia 30318

-----  
WANDA L. ROBINSON, CRR, CCR, No. B-1973  
Certified Shorthand Reporter/Notary Public

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

2

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WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

3

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4 CLAIRE CHEVIER, ESQUIRE

5 VICTORIA LILL, ESQUIRE

6 SANDRA LeVERT, ESQUIRE

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8 Robbins Firm

9 DANIELLE HERNANDEZ, ESQUIRE

10 ANNA EDMONDSON, ESQUIRE

11  
12  
13 STACEY SUBER-DRAKE, ESQUIRE  
CHANTELL MULLEN

14 Georgia Department of Education

15  
16  
17  
18  
19  
20  
21  
22 ALSO PRESENT:

23 BRANDON BRANTLEY, Videographer

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

4

INDEX OF EXAMINATIONS

WILLIAM MATTHEW JONES

By Ms. Tucker

Page 9

INDEX OF EXHIBITS

PLAINTIFF'S

NO.	DESCRIPTION	PAGE
Exhibit 819	Notice of Deposition of Matthew Jones	12
Exhibit 820	GaDOE Organizational Structure Web Page	55
Exhibit 821	5/25/2019 Email Thread from Matt Jones To Karen Ward GA03522859 - GA03522860	66
Exhibit 822	8/10/2015 Email from Clara Keith To Matt Jones With Attachment GA03463082 - GA03463083	94
Exhibit 823	9/16/2015 Email from Deborah Gay To Jones/Peterson With Attachment GA03463406 - GA03463410	100
Exhibit 824	10/12/2015 Email Thread from Deborah Gay To Matt Jones With Attachment GA03463605 - GA03463609	110
Exhibit 825	9/12/2016 Email from Matt Jones To Nakeba Rahming GA03472903	135
Exhibit 826	6/23/2016 Email from Nakeba Rahming To Matt Jones With Attachment and Spreadsheet GA03468051 - GA03468053	158

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

5

INDEX OF EXHIBITS (Continued)

PLAINTIFF'S

NO.	DESCRIPTION	PAGE
Exhibit 827	4/30/2019 Email Thread from Vickie Cleveland To Jones/Beck With Attachment GA03522299 - GA03522301	170
Exhibit 828	7/11/2016 Email from Nakeba Rahming To Matt Jones With Attachment GA03468602 - GA03468604	180
Exhibit 829	7/19/2016 Email from Nakeba Rahming To Matt Jones With Attachments GA03468710 - GA03468713 GA03468711.001 - GA03468711.010	189
Exhibit 830	7/22/2016 Email from Matt Jones To Nakeba Rahming With Attachment GA03468848 - GA03468850	199
Exhibit 831	7/29/2016 Email Thread from Nakeba Rahming To Matt Jones With Attachment GA03469366 - GA03469367	202
Exhibit 832	3/28/2017 Email Thread from Nakeba Rahming To Matt Jones With Attachment GA03479096 - GA03479100	206
Exhibit 833	5/22/2017 Email from Matt Jones To Barbara Hampton and Larry Winter With Attachment GA03481153 - GA03481156	220
Exhibit 834	8/3/2016 Email from Nakeba Rahming To Matt Jones With Attachment GA03469725 - GA03469726 GA03469726.001 - GA03469726.049	262

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

6

INDEX OF EXHIBITS (Continued)

PLAINTIFF'S

NO.	DESCRIPTION	PAGE
Exhibit 835	5/11/2017 Email Thread from Geraldine Price To Matt Jones With Attachment GA03479610 - GA03479613	273
Exhibit 836	7/24/2018 Email Thread from Matt Jones To IIIIXVI With Attachment GA03512056 - GA03512058	276
Exhibit 837	8/4/2020 Email from Matt Jones To DOE Users With Attachment GA01004895 - GA01004897	281
Exhibit 838	8/24/2020 Email from Matt Jones To DOE Users With Attachment GA01004898 - GA01004900	288
Exhibit 839	7/5/2016 Email from Nakeba Rahming To Matt Jones With Attachment GA03468577 - GA03468582	307
Exhibit 840	9/16/2016 Email from Zelfhine Smith-Dixon To K12 Special Education Directors With Attachments GA03473076 - GA03473078 GA03473078.001 - GA03473078.033 GA03473079 GA03473079.001 - GA03473079.043	311
Exhibit 841	6/9/2020 Email from Ashley Harris To Stacey Suber-Drake With Attachments GA03545055 - GA03545070	317
Exhibit 842	7/31/2018 Email Thread from Gary Wenzel To Matt Jones With Attachments GA03512298 - GA03512308	326
Exhibit 843	8/7/2015 Email Thread from Matt Jones To Kenney Moore GA03463029	332

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

7

1	INDEX OF EXHIBITS (Previously Marked)		
2	PLAINTIFF'S		
3	NO.	DESCRIPTION	PAGE
4	Exhibit 82	GNETS 2017 State Board Rule	231
5	Exhibit 265	Inclusive Leadership Breakout	296
6		SPDG National Meeting	
		October 14th	
7	Exhibit 380	5/20/2019 Email Thread From Vickie	177
8		Cleveland To Lakesha Stevenson	
		GA00346118 - GA00346121	
9	Exhibit 390	4/24/2020 Email From Vickie	246
10		Cleveland To Owen/Smith-Dixon	
		With Attachments	
		GA00054562 - GA00054567	
11		GA00054567.001 - GA00054567.020	
12		GA00054568	
13	Exhibit 582	Organizational Charts	51
		GEORGIA 000007 - GEORGIA 000032	
14	Exhibit 621	9/18/2015 Email Thread From	108
15		Larry Winter To Matt Jones	
		GA03463431	
16	Exhibit 622	12/3/2015 Email Thread From	119
17		Larry Winter To Matt Jones	
		GA03464539	
18	Exhibit 623	2/16/2016 Email Thread From	130
19		Larry Winter To Matt Jones	
		GA03465879	
20	Exhibit 703	May 23, 2022 Letter From DOJ	253
21		Hamilton/Lill To Belinfante/Morris	
22			
23			
24			
25			

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

8

1 THE VIDEOGRAPHER: This is the video  
2 deposition of William Matthew Jones, being  
3 taken in the matter of the United States of  
4 America versus the State of Georgia.

5 Today's date is January 10th, 2023. The  
6 time on the record is 9:06 a.m.

7 My name is Brandon Brantely. I'm the  
8 videographer. Wanda Robinson is the court  
9 reporter.

10 Counsel, please introduce yourselves for  
11 the record, after which the court reporter will  
12 swear in the witness.

13 MS. TUCKER: Michelle Tucker for the  
14 United States.

15 MS. GARDNER: Kelly Gardner for the United  
16 States.

17 MS. TAYLOE: Laura Tayloe for the United  
18 States.

19 MR. BELINFANTE: Josh Belinfante for the  
20 State of Georgia.

21 - - - - -

22 WILLIAM MATTHEW JONES,  
23 being duly sworn, was examined and testified as  
24 follows:  
25



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

9

1 EXAMINATION

2 BY MS. TUCKER:

3 Q Thank you. Good morning, Mr. Jones.

4 A Good morning.

5 Q Thank you for coming in today.

6 A Thank you.

7 Q I know we just introduce ourselves but my  
8 name is Michelle Tucker, and I am senior trial  
9 attorney in the Educational Opportunity section of  
10 the Civil Rights Division of the U.S. Department of  
11 Justice, and I represent the United States in this  
12 lawsuit and I will be taking your deposition today.

13 Would you please state and spell your full  
14 name for the record.

15 A Yeah. It's William Matthew Jones.  
16 W-I-L-L-I-A-M, MA M-A-T-T-H-E-W, J-O-N-E-S.

17 Q Thank you. And I'm sure your attorney has  
18 explained much of this to you, but we are basically  
19 going to have a conversation today. I'm going to  
20 ask you questions, and your job is to answer the  
21 questions completely and truthfully. Okay?

22 A Okay.

23 Q You were just sworn to tell the truth by  
24 the court reporter. The oath you took is the same  
25 oath that you would take if you were testifying in a

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

10

1 court of law and puts you under the same obligations  
2 that you would be in court.

3 Do you understand that?

4 A I do.

5 Q Okay. My questions and your answers will  
6 be recorded by the court reporter, so please  
7 understand that you will need to speak clearly and  
8 answer all the questions orally so that the court  
9 reporter can capture your answers accurately.

10 A Okay.

11 Q So, for example, no nodding or head  
12 shaking.

13 A Okay.

14 Q The other thing that you and I will need  
15 to do is avoid talking over one another. So I will  
16 do my best not to interrupt your answers, and I will  
17 ask that even if you think you know the answer to my  
18 question that you let me get the full question out.

19 A Sounds good.

20 Q If at any point you do not understand my  
21 question, just feel free to ask me to clarify. I'll  
22 be happy to do that.

23 A Okay.

24 Q For the record, the United States has come  
25 to agreement with counsel with the State to reserve

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

11

1 all objections except as to form and privilege, but  
2 note that your attorney may occasionally object to  
3 my questions. This is to put their objection and  
4 issue on the record, but you can still answer unless  
5 they explicitly direct you not to.

6 A Okay.

7 Q If you want to take a break for any  
8 reason, that's fine. I just ask if there's a  
9 question pending or if you're in the middle of an  
10 answer that we just wait until that ends.

11 A Okay.

12 Q And then sometimes I'll ask you a  
13 question, you'll give me a little bit of an answer,  
14 and then an hour later or even five minutes later  
15 you'll remember something else that would have been  
16 responsive. Happy to go back to that.

17 A Okay.

18 Q How are you feeling today?

19 A Feeling pretty good.

20 Q Good. Is there any reason that you would  
21 not be able to answer my questions fully and  
22 truthfully today?

23 A There's no reason.

24 Q Okay. For example, are you taking any  
25 medication that would inhibit your ability to answer

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

12

1 my questions?

2 A I took an allergy pill this morning, but  
3 other than that, that's it.

4 Q Good. Do you have any questions before we  
5 proceed?

6 A No questions.

7 MS. TUCKER: I'd like the court reporter  
8 to mark this document as Plaintiff's Exhibit  
9 819.

10 (WHEREUPON, Plaintiff's Exhibit-819 was  
11 marked for identification.)

12 BY MS. TUCKER:

13 Q She'll hand that to you in a second.

14 A Okay. Thank you.

15 MS. TUCKER: Actually, before we begin,  
16 just to confirm, Mr. Belinfante, you are  
17 representing Mr. Jones in this?

18 MR. BELINFANTE: That's correct.

19 BY MS. TUCKER:

20 Q So, Mr. Jones, this is the deposition  
21 notice that we served for your deposition in  
22 connection with the lawsuit against the State of  
23 Georgia related to the Georgia Network for  
24 Educational and Therapeutic Supports Program,  
25 commonly referred to as the GNETS program.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

13

1 Have you seen this deposition notice  
2 before?

3 A I have.

4 Q Okay. When?

5 A Um, prior to this. Probably within the  
6 last week it was sent to me.

7 Q And who sent it to you?

8 A Stacey Suber-Drake, I believe.

9 Q And is Stacey --

10 A She's our general counsel for the Georgia  
11 Department of Education.

12 Q Thank you.

13 What is your understanding of what this  
14 lawsuit is about?

15 A I believe it deals with IDEA and IDEA and  
16 students that are served through GNETS in the State  
17 of Georgia.

18 Q And what is the basis for your  
19 understanding?

20 A Would you clarify that?

21 Q Yeah. How did you think about -- like  
22 when you learned about the lawsuit, how did you  
23 learn about it?

24 MR. BELINFANTE: I would object to the  
25 extent it calls for you to reveal conversations

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

14

1 with counsel about the lawsuit and instruct you  
2 not to answer any questions that involve the  
3 attorney-client communications.

4 A One way that I heard about it initially  
5 was through some news articles.

6 Q Okay. And have you read any court filings  
7 in connection with this lawsuit?

8 A Probably not in very detail. They might  
9 have been shared with me, but I haven't really  
10 looked at them or really evaluated or examined them.

11 Q Do you recall reviewing the complaint in  
12 this lawsuit, the first thing the Department of  
13 Justice --

14 A Possibly.

15 Q Did you receive a notice in connection  
16 with this case advising you to not delete or destroy  
17 relevant information?

18 A Yes, I did.

19 Q When did you receive that?

20 A I can't remember the timeline but it  
21 seemed fairly early on in the process.

22 Q And were you asked to collect documents as  
23 part of the State's efforts to respond to the  
24 Department of Justice's discovery requests in this  
25 lawsuit?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

15

1 A Yes, I was asked to hold and collect.

2 Q Who asked you?

3 A Our general counsel, Stacey Suber-Drake.

4 Q And what steps did you take?

5 A First, I made sure that all those things  
6 were secure and also made sure our staff had access  
7 to those things as well.

8 Q Did you review the State's responses to  
9 DOJ before they were submitted?

10 A I believe I've seen the responses but,  
11 again, that's not something that I really delve into  
12 or spend a lot of time looking at.

13 Q And did you talk to anyone to prepare for  
14 this deposition today?

15 A I did.

16 Q Who did you speak with?

17 A Our lawyers.

18 Q And by your lawyers, Mr. Belinfante?

19 A That's correct.

20 Q And Ms. Suber-Drake?

21 A That's correct.

22 Q Was anyone else present?

23 A I believe someone on staff. I think  
24 another lawyer was present on that call.

25 Q And how long did you all meet?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

16

1           A     It was pretty short. It was probably  
2 below a half hour. Maybe around 20 minutes, 15 or  
3 20 minutes.

4           Q     Was it virtual?

5           A     Yes.

6           Q     Did you talk to anyone else about this  
7 deposition?

8           A     I just told the superintendent I had the  
9 deposition so he would know that I couldn't be  
10 reached today. But other than that, I didn't have  
11 any discussions.

12          Q     Apart from any document shown to you by  
13 counsel, did you look at any documents to prepare  
14 for today's deposition?

15          A     I looked at a few, very few documents.  
16 Just a few things I might have. More like timeline  
17 type of things because it's been about eight years.  
18 So I was just trying in my mind just to organize  
19 some key events. But other than that, that's the  
20 extent of the preparation for it.

21          Q     Which timelines would those be?

22          A     I was just really looking at kind of when  
23 people came on board to the Georgia Department of  
24 Education or -- that was, that was pretty much the  
25 focus, was more kind of personnel, just because I



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

17

1 know -- I had an idea there might be questions  
2 around certain individuals. So I was just trying to  
3 get an idea of when they were at the agency or when  
4 they took on specific roles at the agency.

5 Q Thank you.

6 Where did you find these documents?

7 A Through emails.

8 Q Did you look at any other documents  
9 besides timelines?

10 A Not that I recall.

11 Q Did you bring any documents with you  
12 today?

13 A I did not.

14 Q Did you ask anyone about documents that  
15 may be relevant for today?

16 A Um, I asked our HR director when someone  
17 left the department.

18 Q And who was the someone you were asking  
19 about?

20 A Cindy Morley. She was the chief of staff  
21 early on in the superintendent's administration.

22 Q Did you do anything else to prepare for  
23 today?

24 A No. That's the extent of the preparation.

25 Q Have you been deposed before, Mr. Jones?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

18

1 A I have.

2 Q How many times?

3 A Just once.

4 Q And what was the underlying lawsuit about?

5 A It was a lawsuit around our Federal  
6 Programs, a whistleblower lawsuit.

7 Q By "our Federal Programs whistleblower  
8 lawsuit," are you referring to a lawsuit related to  
9 the Georgia Department of Education?

10 A Yes, that's correct.

11 Q Okay. And when was that?

12 A It lasted several years. I think it  
13 wrapped up within the last year or two.

14 Q Do you recall when your deposition was?

15 A Probably within the last year or two.

16 Q Have you ever been a plaintiff in a  
17 lawsuit?

18 A I don't believe I've been a plaintiff in a  
19 lawsuit.

20 Q Have you ever been a defendant in a  
21 lawsuit?

22 A No.

23 Q So there are a few acronyms I'd like to go  
24 over today before we start --

25 A Okay.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

19

1 Q -- to make sure we have the same  
2 understanding.

3 When I refer to the DOE or GaDOE, do you  
4 understand that I mean the Georgia Department of  
5 Education?

6 A That's correct. Yes.

7 Q When I refer to GNETS or the GNETS  
8 program, do you understand that I'm referring to the  
9 Georgia Network for Educational and Therapeutic  
10 Supports?

11 A Yes.

12 Q When I refer to the regional GNETS  
13 program, you understand that I'm referring to one of  
14 the 24 regional GNETS programs across the State of  
15 Georgia?

16 A Yes.

17 Q When I refer to a GNETS center or a  
18 center, you understand that I'm referring to a  
19 standalone GNETS location?

20 A Yes.

21 Q When I refer to a GNETS school-based  
22 location, you understand that I'm referring to a  
23 GNETS location that is based in a general education  
24 setting?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

20

1 Q When I refer to a general education  
2 setting, you understand that I am referring to a  
3 public school in Georgia where students with  
4 emotional and behavioral disorders and other  
5 behavioral health conditions receive instruction and  
6 services alongside students who do not have  
7 disabilities?

8 A Yes.

9 Q When I refer to the State, you understand  
10 I'm referring to the State of Georgia?

11 A Yes.

12 Q When I refer to EBD, do you understand  
13 that I'm referring to emotional and behavior  
14 disorders?

15 A Yes.

16 Q When I refer to LEA, you understand that  
17 I'm referring to a local education agency?

18 A Yes.

19 Q When I refer to an SEA, you understand  
20 that I'm referring to a state education agency?

21 A Yes.

22 Q When I refer to a RESA, you understand  
23 that I'm referring to a Regional Education Service  
24 Agency?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

21

1 Q When I refer to an IEP, you understand  
2 that I am referring to an Individual Education  
3 Program?

4 A Yes.

5 Q When I refer to a BIP --

6 A Did you say program or plan?

7 Q I said program.

8 A Okay.

9 Q Do you agree?

10 A Yes.

11 Q When I refer to a BIP, you understand that  
12 I am referring to Behavior Intervention Plan?

13 A Yes.

14 Q When I refer to an FBA, you understand  
15 that I'm referring to a Functional Behavior  
16 Assessment?

17 A Yes.

18 Q When I refer to DBHDD, you understand that  
19 I'm referring to the Georgia Department of  
20 Behavioral Health and Developmental Disabilities?

21 A Yes.

22 Q And when I refer to DCH, you understand  
23 that I'm referring to the Georgia Department of  
24 Community Health?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

22

1 Q A lot of --

2 A Yeah. Welcome to the family.

3 Q We have them in Federal Government, too.

4 A I know. You probably trump me on that  
5 area.

6 Q Thank you for going through that with me.

7 A Absolutely.

8 Q Mr. Jones, where do you currently live?

9 A I live in Waycross, Georgia.

10 Q And that's a bit far from Atlanta, right?

11 A That's correct.

12 Q How far a drive is that?

13 A Four hours.

14 Q And then where -- what county is that in?

15 A It's in Ware County.

16 Q And how long have you lived in Waycross?

17 A Probably around four -- four years.

18 Q Did you live in Atlanta before?

19 A No. I lived in Fitzgerald before that.

20 Q Is that close to Waycross?

21 A It's about 2-1/2 hours from here, from  
22 Atlanta.

23 Q I hope you didn't drive four hours this  
24 morning.

25 A I did not. I have a place up in Atlanta

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
23

1 as well. But my primary residence is in Waycross.

2 Q Okay. And GaDOE's office is in Atlanta,  
3 right?

4 A That's correct.

5 Q How often do you come into the office?

6 A Pretty regularly.

7 Q Okay.

8 A Prior to the pandemic, it was at least  
9 four or five days a week, and then since the  
10 pandemic I would say probably 70 percent of the  
11 time, work time, I'm up in Atlanta.

12 Q Is it a set schedule or do certain  
13 meetings push you to come in?

14 A Certain meetings push me to come in.

15 Q What is your highest level of education?

16 A Bachelor's degree.

17 Q And where is your degree from?

18 A Georgia Southern.

19 Q And in what field?

20 A Education.

21 Q When did you graduate from Southern?

22 A 2007.

23 Q Did you take any coursework in special  
24 education while you were at Georgia Southern?

25 A I did.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

24

1 Q What courses?

2 A All teachers were required to take like an  
3 introductory course to supporting exceptional  
4 learners.

5 Q Did you take any other special education  
6 courses?

7 A There were content woven in other like  
8 introduct -- or education courses but no specific  
9 course outside of that course.

10 Q Do you hold any professional  
11 certifications?

12 A I do.

13 Q What are they?

14 A Teaching certificate.

15 Q When did you receive that?

16 A Should be around the same year I  
17 graduated, so 2007.

18 Q And it is still active?

19 A It is still active.

20 Q Do you have any certifications in special  
21 education?

22 A No.

23 Q What is your current job title?

24 A Chief of staff.

25 Q And who is your employer?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

25

1 A The Georgia Department of Education.

2 Q When did you officially assume this  
3 position?

4 A It would have been around 2015.  
5 Technically '14. I came in a few months before the  
6 superintendent was sworn in.

7 So that November or December of 2014.

8 Q Before the superintendent was sworn in in  
9 January?

10 A That's correct.

11 Q And when we're referring to the  
12 superintendent, are we referring to Superintendent  
13 Richard Woods?

14 A That's correct.

15 Q Do you report to Superintendent Woods?

16 A I do.

17 Q Do you report to anyone else?

18 A No. Just Superintendent Woods.

19 Q Does Superintendent Woods evaluate you?

20 A I would say so.

21 Q In a --

22 A Not a formal way, but definitely provides  
23 feedback.

24 Q So you do not have formal job evaluations?

25 A We do have job evaluations in the agency,

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

26

1 but I've never received a formal evaluation.

2 Q How many direct reports do you have?

3 A It's ebbed and flowed throughout the eight  
4 years of the department.

5 Q How about right now?

6 A I would say around 16 direct reports.

7 Q That's a good amount of direct reports.

8 A (Witness shakes head.)

9 Q What's been the maximum of direct reports  
10 that you've had?

11 A I would say about 16 direct reports.

12 Q And then what's the low end?

13 A Probably around seven or eight.

14 Q Was that when you started?

15 A That's correct.

16 Q Do you currently have a deputy chief of  
17 staff?

18 A No, I do not.

19 Q Have you had a deputy chief of staff in  
20 the past?

21 A Yes.

22 Q How many?

23 A Just one.

24 Q And who was that?

25 A Shaun Owen.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

27

1 Q And when did Shaun Owen serve as your  
2 deputy chief of staff?

3 A I can't remember specifically but it was  
4 for a short -- about six, seven months. It was  
5 prior to her becoming deputy for -- or deputy  
6 superintendent for Federal Programs.

7 Q And did you select Shaun Owen as deputy  
8 chief of staff?

9 A I did.

10 Q Did you interview her?

11 A We definitely had a -- yeah, I mean I  
12 asked her questions and things like that before the  
13 selection was made.

14 Q Did you already know her from working at  
15 the department?

16 A I did.

17 Q Were you considering anyone else for that  
18 position?

19 A She was the top candidate in my mind for  
20 the position.

21 Q Why did you require a deputy chief of  
22 staff at that time?

23 A I think it was just evaluating the  
24 workload and what was going on in the agency at the  
25 time. Also, some succession planning as well in

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

28

1 case anything ever happened to me, I would have  
2 someone that had filled that role in some way and  
3 could step into that role if needed.

4 Q Are you looking to hire a deputy chief of  
5 staff again?

6 A Possibly.

7 Q You said that Shaun is now deputy  
8 superintendent for Federal Programs?

9 A That's correct.

10 Q And what led her to take that on after  
11 being deputy chief of staff?

12 A She had had experience doing consolidated  
13 funds in Federal Programs, and through that work it  
14 took working with lots of different programs within  
15 the ESSA programs, the different types of Federal  
16 Programs. So she had already worked with a lot of  
17 key individuals in the Federal Programs team. She  
18 had worked on how to coordinate different Federal  
19 Programs together. So when that position became  
20 available, I thought she had already had some good  
21 experience with the collaboration and coordination  
22 piece for that, for that area.

23 Q So did you suggest to Shaun Owen that she  
24 take that position?

25 A I believe she saw that position available

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

29

1 and she expressed interest to me about it given her  
2 background.

3 Q Thank you. And what time was she deputy  
4 chief of staff again?

5 A It would be about six months before she  
6 took the position.

7 Q Okay.

8 A As deputy superintendent of Federal  
9 Programs. I don't know the specific time.

10 Q Thank you.

11 And a moment ago I think you mentioned a  
12 name of someone who held the chief of staff position  
13 directly before you?

14 A That's correct.

15 Q It was Sidney --

16 A Cindy Morley.

17 Q Did she serve as a chief of staff for  
18 Superintendent Woods?

19 A That's correct.

20 Q So how long did she hold that position?

21 A Probably about 8 to 10 months.

22 Q Do you know why she left?

23 A I don't know the specific details. That  
24 was a decision the superintendent made.

25 Q So just to make sure I understand, you

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

30

1 said that you joined GaDOE a few months before  
2 Superintendent Woods became superintendent in  
3 January of 2015?

4 A That's correct.

5 Q So you were not automatically chief of  
6 staff at that time?

7 A No. I was the chief academic officer. So  
8 at that time the organization was split between the  
9 chief of staff and the chief academic officer.

10 Q So you first began as chief academic  
11 officer, and then later, in 2015, you became chief  
12 of staff?

13 A That's correct. And the chief academic  
14 officer position was dissolved. There was just the  
15 chief of staff.

16 Q What month do you think you became -- what  
17 month did you become chief of staff in 2015?

18 A Um, possibly September. October,  
19 December, somewhere around there. Prior to the  
20 first of the year, I believe.

21 Q And when you were chief academic officer,  
22 did you report to Superintendent Woods?

23 A Yes.

24 Q Did you have direct reports at that time?

25 A I did.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

31

1 Q About how many?

2 A Probably four or five.

3 Q And what, what positions reported to you  
4 when you were chief academic officer?

5 A It would be our School Improvement  
6 position, our Assessment and Accountability  
7 position, our Curriculum and Instruction position,  
8 and our Federal Programs position.

9 Q And then when that position dissolved, did  
10 those four or five individuals continue reporting to  
11 you when you were chief of staff?

12 A That's correct.

13 Q So you added on responsibilities?

14 A Pretty significantly.

15 Q Yeah. What were your responsibilities as  
16 chief academic officer?

17 A Essentially tried to coordinate and ensure  
18 a collaboration and alignment with the academic  
19 components of the agency, and of course I worked  
20 pretty closely with our chief of staff that handled  
21 the nonacademic components at the agency.

22 Q Did you work on special education at that  
23 time?

24 A It fell underneath Federal Programs, I  
25 believe -- or, actually, it was under Curriculum and

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

32

1 Instruction I believe at that time. So it wasn't a  
2 direct report.

3 Q Prior to working as chief academic  
4 officer, did you hold any other roles at the Georgia  
5 Department of Education?

6 A I did not. I believe -- I didn't hold a  
7 formal position, but I think they brought me on as a  
8 contractor during the transition before I took on  
9 the official role in the superintendent office.

10 Q So in the December 2014?

11 A That's correct.

12 Q When you were chief academic officer, who  
13 held the school improvement position?

14 A Avis King.

15 Q Then what about Federal Programs?

16 A Actually, I think at that time it was  
17 burried -- it was part of Federal Programs. So I  
18 believe Avis King was part of that, too. So I don't  
19 think they were two separate reporting. I think  
20 School Improvement and Federal Programs was under  
21 the same umbrella initially.

22 Q Thank you.

23 A My apologies for that. We've done some  
24 restructuring over the years, so I'm trying to keep  
25 it straight in my mind.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

33

1 Q No worries.

2 Working backwards, where did you work  
3 prior to Georgia Department of Ed?

4 A I worked for Toombs County schools.

5 Q How long were you at Toombs County  
6 schools?

7 A Around seven years. Toombs County  
8 schools.

9 Q And what positions did you hold at Toombs  
10 County schools?

11 A I was the chief information officer and  
12 also a classroom teacher.

13 Q Let's start with your role as chief  
14 information officer. Was that right before working  
15 at Georgia Department of Ed?

16 A That's correct.

17 Q What years were you chief information  
18 officer of Toombs County schools?

19 A It would have been -- I joined the  
20 department in 2015. So probably around the '14,  
21 '13. So it's about a year prior to being at the  
22 Department of Education.

23 Q Okay. And what were the major  
24 responsibilities of that position?

25 A Just oversee technology for the school

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

34

1 district. So strategic planning, deployment of  
2 technology, training around technology, purchasing  
3 technology.

4 Q And the Cedarwood Regional GNETS program  
5 supports Toombs County, correct?

6 A Yes, that's correct.

7 Q Did you work with the Cedarwood Regional  
8 GNETS program while you were CIO?

9 A I did not.

10 Q Did you have any direct reports in that  
11 role?

12 A One direct report, and we also worked  
13 heavily with contractors. We were a small school  
14 district.

15 Q Did others work -- others working on  
16 technology work with the Cedarwood regional GNETS  
17 program at that time?

18 A I don't know if they fell within our  
19 service model. I know we provided direct services  
20 to the schools. I'm not sure what type of  
21 technology services we provided to the program. I  
22 think it was in the county, so we might have  
23 provided some. If they had some technical issues,  
24 we might have sent out a contractor to provide some  
25 support there.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

35

1 Q And then you said you were a classroom  
2 teacher before that. Did you start as a classroom  
3 teacher at Toombs County right after graduation?

4 A I did.

5 Q So from 2007 to about 2014?

6 A That's correct. I took about a year off  
7 before coming on as the CIO role. So I was a  
8 teacher and then took a year, stepped away for a  
9 year, and then came back as the chief information  
10 officer for the school district.

11 Q What did you do during your year away?

12 A I was an executive director for a  
13 nonprofit.

14 Q What was the nonprofit?

15 A It was called Empower Georgia. It was an  
16 education nonprofit.

17 Q Why did you choose to leave the nonprofit?

18 A My wife said I needed to get a real job  
19 and start paying the bills, so I had to get a real  
20 job and start paying the bills.

21 Q Understand.

22 A Nonprofits live up to their name  
23 apparently. They don't make a lot of profit.

24 Q Understood.

25 So then were you a teacher in Toombs

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

36

1 County from 2007 to 2013-ish?

2 A That's correct.

3 Q And what schools did you teach at?

4 A The high school primarily, and I also  
5 taught at the middle school my last year that I was  
6 there.

7 Q What grade did you teach?

8 A Seventh grade at the middle school, and  
9 then ninth through twelfth at the high school.

10 Q What subjects?

11 A I taught Engineering Technology, English  
12 Language Arts, American Government and Civics, and  
13 World Geography.

14 Q Did you interact with the Cedarwood  
15 regional GNETS program when you were a teacher in  
16 Toombs County?

17 A No, not while I was a teacher in Toombs  
18 County.

19 Q Did you refer students to the Cedarwood  
20 regional GNETS program at that time?

21 A I did not.

22 Q Did you hold any positions prior to  
23 becoming a teacher in Toombs County in between that  
24 and graduation from Georgia Southern?

25 A I did some substitute teaching. I also

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

37

1 was a -- worked at the public library, and that's  
2 it.

3 Q All in Toombs County?

4 A Primarily in Toombs County.

5 Q Did you work for the Cedarwood Regional  
6 GNETS program?

7 A I was a substitute there, but I wasn't a  
8 formal employee.

9 Q Was this a substitute after graduating  
10 from Georgia Southern?

11 A While I was in college.

12 Q While you were in college. Okay.

13 What years?

14 A Probably around 2004.

15 Q So during your sophomore --

16 A Yeah, around about my sophomore in  
17 college.

18 Q Was that the only year you substituted at  
19 Cedarwood Regional GNETS program?

20 A That's correct.

21 Q In which location?

22 A It was the one that's located in Lyons.

23 Q And was this a center or a school-based  
24 location?

25 A It was a center.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

38

1 Q And what type of substitute teacher were  
2 you? Were you on -- would you show up every day or  
3 were you called in as necessary?

4 A Called in as necessary.

5 Q How often did that happen?

6 A Well, my college schedule only allowed me  
7 two days a week for me to be available to  
8 substitute, and I would say I usually spent at least  
9 one day a week substituting.

10 Q Was this due to teachers not being  
11 available?

12 A That's correct.

13 Q Did you also get class credit?

14 A I did not. I should have thought about it  
15 at the time, though, shouldn't I?

16 Q That's okay.

17 How many students did you work with?

18 A Directly or -- can you clarify what  
19 capacity?

20 Q Yeah. Did you sub mostly for one class or  
21 --

22 A Yes, one class.

23 Q How many students were in that class?

24 A Usually around 8 to 10 students.

25 Q And were you the only teacher in the room?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

39

1 A No, I wasn't.

2 Q How many other folks were there?

3 A I would say around three to four  
4 individuals at a time.

5 Q And what age-group was this classroom?

6 A I did different age-groups. So I would  
7 say I probably spanned the entire K-12 continuum.

8 Q So just to make sure I understand, a  
9 moment ago I think you said it was one class you  
10 usually subbed for; is that correct?

11 A One class at a time.

12 Q One class at a time. Okay.

13 A So over the course of the time, I probably  
14 hit every different grade band while I was there.

15 Q I understand. Thank you for clarifying.

16 A Absolutely.

17 Q And what type of disability eligibilities  
18 did the students have?

19 A EBD was the primary.

20 Q What led you to become a sub at that time  
21 in Cedarwood?

22 A They were the first ones to call me.

23 Q So you applied?

24 A I was on a list and then they called me.  
25 I got a call to ask if I would be interested in

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

40

1 subbing, and of course I'm not a person to say no,  
2 so I said yes, and that's how I got started.

3 Q What did they share during that phone call  
4 when they described the opportunity to you?

5 A They probably did but all I heard was  
6 working with students, and that's what I wanted to  
7 go into and was passionate about. So I agreed to it  
8 and I was excited to get started.

9 Q Did you continue that with your junior and  
10 senior year?

11 A I did not.

12 Q And why was that?

13 A Just my class schedule.

14 Q Did you report to a specific person when  
15 you subbed at Cedarwood?

16 A It depends on the situation. If I was not  
17 the teacher of record, then whoever the teacher of  
18 record was is who I would work with and report to.  
19 If I was the teacher of record, then the director  
20 would be who I reported to. So it depended -- it  
21 depended on what role I was subbing in at that time.

22 Q And who was the regional GNETS director of  
23 the Cedarwood program at that time?

24 A I can't remember her name.

25 Q Do you know if that person is still the



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

41

1 regional GNETS director of Cedarwood?

2 A I don't believe that they are.

3 Q Do you know the regional director of  
4 Cedarwood's name right now?

5 A No, I don't.

6 Q Did you receive any training while you  
7 were at Cedarwood regional GNETS program?

8 A No direct training, but essentially it was  
9 if certain things were to occur, then I was supposed  
10 to call on someone or have someone else in the  
11 classroom take care of it, if something were to --  
12 if something happened or something like that.

13 Q What type of things?

14 A Just if there was a behavior issue or  
15 something like that. I was there mostly on the  
16 academic components of things, and so if things went  
17 outside of the academic components, then they told  
18 me to call on another professional that was there.

19 Q Did that happen?

20 A Yes, it did.

21 Q Often?

22 A I would say I felt like it was within the  
23 norm. It happened fairly regularly but I wouldn't  
24 say it was all the time.

25 Q How would you describe your experience at

1 the Cedarwood regional GNETS program?

2 A Um, it was a positive experience. The  
3 people who worked there specifically, I didn't know  
4 them prior to taking on that role but I gained a lot  
5 of respect for them.

6 I could truly tell it was a calling for  
7 those individuals. They had the experience to do  
8 lots of different things, and they chose to do that.

9 It actually also made me realize that they  
10 were doing amazing things for those kids but it's  
11 something I could not do because at the end of the  
12 day I would just be like mentally and emotionally  
13 exhausted. So even though I wanted to be a teacher,  
14 I knew that was not a specific path for me but I  
15 also knew those individuals in my mind were  
16 exceptional just by what I saw each and every day  
17 while I was there and what they chose to do as  
18 teachers.

19 So in a way they inspired my to stick with  
20 the profession, but they also -- and in that  
21 situation I understood that path was not one I could  
22 take as a teacher.

23 Q I understand.

24 So let's go back to your role as chief of  
25 staff, and it was about October 2015, I think you

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

43

1 said, you took that on officially?

2 A I believe so.

3 Q Did you apply for the chief of staff  
4 position?

5 A I did not.

6 Q How were you offered this position?

7 A The superintendent offered it to me.

8 Q And it was when the other individual was  
9 leaving?

10 A That's correct.

11 Q Did you apply for the chief academic  
12 officer position?

13 A The superintendent offered it to me.

14 Q Did you know Superintendent Woods before?

15 A I did.

16 Q How did you know him?

17 A We had -- when I was doing the nonprofit  
18 work, we crossed paths then and we would talk about  
19 education issues periodically.

20 Q Had you worked with him prior, or is it  
21 just more informal?

22 A Informal.

23 Q Before you joined, what did you understand  
24 the chief of staff role to be, before you were  
25 officially chief of staff?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

44

1           A     Probably Leo off The West Wing is what I  
2     assumed the chief of staff was going to be.

3           Q     Got it. Understood.

4           A     Without the heart attack hopefully.

5           Q     Hopefully not.

6                     Would you say your understanding has  
7     matched the position in reality?

8           A     I don't think I can live up to Leo's  
9     standards, but there might be some similarities  
10    between the two.

11          Q     I don't know if anyone can.

12                     In what ways has it been different?

13          A     I just think, you know, the sheer totality  
14    of the organization, it's a large organization. I  
15    think it connects lots of different things. There's  
16    lots of dynamics and governing structures to  
17    navigate, different political structures to  
18    navigate.

19                     So it's just a -- it's a very complex  
20    system.

21          Q     What are your job responsibilities as  
22    chief of staff?

23          A     My primary job, I'll try to focus on, is  
24    coordination and collaboration across the agency,  
25    and also with our partners.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

45

1                   Also, try to push and promote the  
2                   superintendent's priorities. Put out fires but also  
3                   make sure we're thinking strategically as well.

4           Q       With coordination and collaboration across  
5                   the agency, how do you complete that?

6           A       I try to make connections. A lot of times  
7                   teams can get siloed, so I try to make sure they  
8                   have a perspective of what's going on in other  
9                   parts.

10                   I kind of see the very big picture in my  
11                   role, so I try to make connections in their part of  
12                   that picture and other parts of the pictures, just  
13                   to point out areas for them to collaborate, make  
14                   sure they put in some structures for them to  
15                   communicate and coordinate among themselves.

16                   Like I say, it's a very large  
17                   organization, so I feel like are the biggest  
18                   weaknesses of that are communication and  
19                   coordination across the agency. So I try to really  
20                   support that and point out further opportunities for  
21                   them to further collaborate and coordinate, and also  
22                   remove barriers to their work.

23           Q       And you mentioned also working with  
24                   partners?

25           A       That's correct.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

46

1 Q Who are your partners?

2 A I would say primarily the State Board of  
3 Education.

4 Q Okay.

5 A And our state education groups and  
6 policymakers.

7 Q What do you mean by state education  
8 groups?

9 A Teacher organizations, the  
10 principals/superintendents organization, school  
11 board organizations.

12 Q And what do you mean by policymakers?

13 A Legislators, Governor's Office.

14 Q You also said that you worked to ensure  
15 that the superintendent's priorities are being met.  
16 Is that correct?

17 A That's correct.

18 Q And how are these priorities communicated  
19 to you?

20 A By the superintendent.

21 Q Do you discuss with him the priorities?  
22 Are you part of that conversation?

23 A Yes, I am.

24 Q Have your responsibilities changed over  
25 time?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

47

1 A I would say so.

2 Q In what ways?

3 A Just the initial change from chief  
4 academic officer to chief of staff. And then I  
5 would just say the role's kind of ever changing.  
6 There's always different dynamics and different  
7 changes. We get changes on the Board, we get  
8 changes with the legislature, new governor.

9 So even though positions stay the same,  
10 different personalities and priorities and dynamics  
11 change, so.

12 Q And describe a day for you as chief of  
13 staff, a typical day.

14 A My wife's been asking me that question for  
15 the last eight years.

16 Q So what do you tell her?

17 A I don't really have a great answer to  
18 that.

19 I wish I had a really good answer to that  
20 but I really don't. And it's when I've talked a lot  
21 with my wife because she's asked me a lot to try to  
22 describe it, but it's very hard to describe.

23 Q Is it a lot of meetings? It is a lot of  
24 time at your desk?

25 A A lot of -- I would say a good bit of

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

48

1 meetings, emails, phone calls.

2 Q Earlier you said -- let's see -- was it 16  
3 people reported to you?

4 A That's correct, around 16.

5 Q How often are you communicating with those  
6 individuals?

7 A We have for the most part an established  
8 monthly meeting. I do one-on-one with them. And  
9 then I do just regular check-ins if things come up,  
10 issues come up, or they need, they need me.

11 I have a pretty open door policy. So they  
12 feel very comfortable reaching out to me, and I try  
13 to be very responsive to their needs, too.

14 Q With the monthly meetings, is that your  
15 meeting with all 16 together?

16 A One-on-one.

17 Q Are there other regularly scheduled  
18 meetings that you have at GaDOE besides these  
19 one-on-one check-ins?

20 A There might be recurring meetings around  
21 certain projects but the one-on-one's is what is  
22 coming to mind.

23 Q Do you attend any regular meetings within  
24 GaDOE about the GNETS program?

25 A I do not.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

49

1 Q Have you at any time?

2 A Probably around 2016, but it probably  
3 didn't last more than six to eight months.

4 Q What changed?

5 A And not since then.

6 We were -- we had a new person coming into  
7 a position at that time. We also -- the deputy's  
8 position had not settled completely. So once those  
9 two positions were settled, I felt comfortable with  
10 where Federal Programs was overall, and I didn't see  
11 a need for me to be in a regular meeting past that  
12 point.

13 Q And just to make sure we're on the same  
14 page, you said a new person started. Who was that  
15 new person?

16 A Nakeba Rahming.

17 Q And what was her position at that time?

18 A I believe she was the manager for GNETS.

19 Q GNETS program manager?

20 A That's correct.

21 Q And you said there was a deputy. Were you  
22 referring to Shaun Owen?

23 A I believe it was Debbie Gay at the time,  
24 but Debbie left that position. She retired about a  
25 year or two after that.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

50

1 Q And she was the deputy superintendent for  
2 Federal Programs?

3 A That's correct.

4 Q How often are you meeting with  
5 Superintendent Woods?

6 A It depends on his schedule and my  
7 schedule. He has a more hectic schedule even than I  
8 do, so we try to carve out some regular time, but  
9 there's not a specific time on our calendars for  
10 that to happen.

11 Q Would you say you speak to him daily?

12 A Um, probably -- again, it kind of ebbs and  
13 flows depending on where we are in the year or  
14 situation. I would say a few times a week.

15 Q Do you meet with Superintendent Woods  
16 regarding the GNETS program?

17 A No, I do not.

18 Q Did you during that six- to eight-month  
19 period where you had regular meetings on the GNETS  
20 program?

21 A I don't believe we had any specific  
22 meetings regarding GNETS. It might have come up in  
23 a regular discussion, just as we were talking about  
24 the agency overall.

25 Q I'm going to show you what was previously

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

51

1 marked as Plaintiff's Exhibit 582.

2 (WHEREUPON, Plaintiff's Exhibit-582 was  
3 previously marked for identification.)

4 BY MS. TUCKER:

5 Q This is a 26-page document that was  
6 produced by the State. It's made up of GaDOE  
7 organizational charts.

8 On the top left of the first page it reads  
9 "GaDOE Organizational Chart," and the Bates number  
10 on the bottom right of the first page reads GEORGIA  
11 000007.

12 Do you see that?

13 A I see that.

14 Q Do you recognize this document, Mr. Jones?

15 A Yes, I believe so.

16 Q Do you want to flip through?

17 A Yes, if you don't mind.

18 (Witness reviews exhibit.)

19 Q There are several.

20 A Okay.

21 Q I'm happy for you if you want to just --  
22 okay.

23 So let's look --

24 A This explains my recollection.

25 Q So there's been a lot of restructuring;

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

52

1 would that be correct?

2 A That's correct.

3 Q So let's look at the first page. Do you  
4 see in the bottom right corner that it reads this  
5 page was revised on May 1st, 2015?

6 A Yes.

7 Q And you are the William M. Jones listed as  
8 chief of staff?

9 A I am.

10 Q Let's go to the eleventh page. It ends  
11 with 17 on the bottom, GEORGIA, and then some zeros  
12 and a 17.

13 Let me know when you're there.

14 A I'm there.

15 Q Would you agree this page represents the  
16 GaDOE organizational structure as of May 1st, 2018?

17 It says right underneath the logo.

18 A I see that, yes.

19 Q Am I correct that Superintendent Woods is  
20 at the top row of the organizational structure?

21 A Yes.

22 Q And then you're on the second row?

23 A Yes.

24 Q And that means that you directly report to  
25 Superintendent Woods?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

53

1 A Yes.

2 Q And then let's look to the third row.

3 There are several boxes.

4 Starting at the left, there's the Finance  
5 and Business Operations Office, then the General  
6 Counsel's Office, the Policy and External Affairs  
7 Office, and so on.

8 Do you see those?

9 A I do.

10 Q And am I correct that these are all the  
11 offices that directly report to you?

12 A At this time.

13 Q In 2018?

14 A Yes.

15 Q Then absent personnel changes, has this  
16 structure changed?

17 A It has.

18 Q In what ways?

19 A I believe we've added a few offices. And  
20 of course the people who occupy the positions have  
21 changed.

22 Q Do you know off the top of your head which  
23 offices you've added?

24 A I believe Office of the Whole Child, and  
25 Office of Rural Education and Innovation.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

54

1                   Also, I believe that -- that's all the  
2 changes that I see.

3           Q       Okay. And these are all the individuals  
4 you would have one-on-one meetings with, at that  
5 time?

6           A       Um, yes. Regular check-ins with those  
7 people.

8           Q       The monthly check-ins?

9           A       For the -- I did not do it with each  
10 individual. I did it for the vast majority, but I  
11 was in fairly regular communication with all of  
12 them.

13          Q       Which offices take up most of your time  
14 right now?

15          A       At this present of moment?

16          Q       The present moment.

17          A       I would say that Office of Rural  
18 Education, Innovation, and Whole Child because they  
19 are both new offices.

20          Q       How new are they?

21          A       Rural Education has only been there for a  
22 year, and then the Whole Child has been there for  
23 several years but they just had a leadership change  
24 there, and also we pulled a team from another area  
25 of the agency and put underneath them. So there's

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

55

1     been some changes in that area. So I spend some  
2     additional time with that group to make sure  
3     everything goes well with those changes.

4           Q     What team was put under Whole Child?

5           A     MTSS and PBIS.

6           Q     And what led to that change?

7           A     Just the -- MTSS had been under Whole  
8     Child, and PBIS was under Federal Programs. So we  
9     were trying to create better coordination between  
10    those two, and the person heading Whole Child, his  
11    background is PBIS. So we thought it would be not  
12    only good for the work operationally but his  
13    expertise would be a good fit for guiding that work.

14          Q     Who is that?

15          A     Justin Hill.

16          Q     How long has Justin Hill been with GaDOE?

17          A     He's been there in some capacity the whole  
18    time that I've been at the Department of Education.

19                MS. TUCKER: I'd like the court reporter  
20    to mark the following document as Plaintiff's  
21    Exhibit 820.

22                (WHEREUPON, Plaintiff's Exhibit-820 was  
23    marked for identification.)

24    BY MS. TUCKER:

25          Q     Mr. Jones, this is a webpage from the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

56

1 Georgia Department of Education's website titled,  
2 "GaDOE's Organizational Structure." It was captured  
3 on November 29th, 2022.

4 Do you recognize this web page? It was  
5 printed a little odd, so if you go through the doc.

6 A Okay.

7 Q Does it look familiar to you?

8 A I've seen this page before.

9 Q Would you say that the structure  
10 represented on this webpage is accurate?

11 A No, it is not accurate.

12 Q Okay. And what's, what's inaccurate?

13 A The people mentioned and their titles is  
14 accurate but there's a lot of people missing.

15 Q Do you know why the structure was selected  
16 with individuals missing or --

17 A We are actually in the process of doing a  
18 huge update to our website, and we've been going  
19 through the procurement process of that. So we're  
20 waiting for all that to happen for us to really take  
21 a look closely at all the pages of our website.

22 Q Okay, understood.

23 Do you see how you're listed under  
24 Business Operations?

25 So on the second page it goes State School



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

57

1 Superintendent Richard Woods?

2 A Yes.

3 Q And then Business Operations, Chief of  
4 Staff, Matt Jones?

5 A Yes, I see that.

6 Q And then there's a separate office or  
7 separate fold that says Academic Affairs?

8 A I see that.

9 Q Would you not be over Academic Affairs?

10 A I would say those headings aren't accurate  
11 headings.

12 Q All right. Thank you.

13 Was it ever accurate?

14 A I didn't check that page regularly, so I  
15 can't tell you if it was or not.

16 Q Was this structure that you see ever  
17 accurate?

18 A They're accurate in the positions they're  
19 in, but it's not in the how, the totality of  
20 capturing everything as part of the agency or the  
21 reporting structure or the headings themselves.

22 Q Okay, thank you.

23 Earlier you said there was a time where  
24 you were meeting regularly on GNETS, correct?

25 A Yes, that's correct.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
58

1 Q What is your relationship to the GNETS  
2 program overall?

3 A Could you be more specific?

4 Q Yeah. I know -- you said you met about it  
5 regularly in the past, but are you still working on  
6 matters related to the GNETS program?

7 A Not directly.

8 Q Do you still supervise individuals who are  
9 working on matters related to the GNETS program?

10 A They're not directly either. So I  
11 supervise the person over Federal Programs, but not  
12 the GNETS person directly.

13 Q The person -- who is the person that  
14 reports to you?

15 A Over Federal Programs?

16 Q Uh-huh.

17 A Shaun Owen.

18 Q Shaun, okay.

19 Do you ever ask Shaun Owen about the GNETS  
20 program during your check-ins?

21 A Not that I recall.

22 Q Have you in the past?

23 A Yeah, probably early on when she just  
24 assumed that role, I'm sure there was a discussion  
25 that came up. But since she's been in that role for

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

59

1 a while, I'm not sure that it has come up regularly.

2 Q Has Shaun Owen raised questions or matters  
3 related to the GNETS program to you?

4 A She's mentioned -- she probably mentioned  
5 some things around, you know, around it, but I can't  
6 -- I'm trying to think of like specifics on that.  
7 But to me it's like it's a list of things that they  
8 -- so usually how we handle the check-ins is they  
9 bring me a list of issues they want to discuss and  
10 then there's like key issues that have come up from  
11 my end. So it's kind of a back-and-forth discussion  
12 on that.

13 It could have been on her list or it would  
14 have come up that way.

15 Q Has GNETS been on her list in the last  
16 year?

17 A She's brought it up a few times, I  
18 believe, but it has not been something that comes  
19 out on -- in my mind as like a regular agenda item  
20 that she's had.

21 Q In the last year, what are the matters  
22 that she would raise related to GNETS?

23 A She's mentioned the site visits. She's  
24 mentioned just -- I'm trying to think of some  
25 specifics.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

60

1           The site visits are the things that come  
2           to my mind initially.

3           Q     And when you say site visits, are you  
4           referring to site visits that Shaun Owen is  
5           completing independently, or with the Department of  
6           Justice?

7           A     I think a little bit of both.

8           Q     Let's go back to the 26-page document. It  
9           was Plaintiff's Exhibit 582 previously introduced.

10                  So, Mr. Jones, I don't see the GNETS  
11           program appear on the organizational structures  
12           until the April 1st, 2016 chart on Page 6.

13                  Do you agree that it's not on the prior  
14           pages?

15           A     Which number are you looking at?

16           Q     So starting with GEORGIA 07.

17           A     Yes.

18           Q     I don't see GNETS listed until the sixth  
19           page. Let me know if you agree, if it's showing up  
20           on earlier pages.

21                  The first time I see it is on the page  
22           that ends in 12.

23           A     Okay.

24           Q     That was revised on April 1st, 2016.

25           A     And where is it on 12? I'm looking for --

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

61

1 oh, I see it now. My apologies.

2 Q No problem.

3 A Okay.

4 Q So until April 2016, where did the GNETS  
5 program fall since it's not on the organizational  
6 charts?

7 A It would have been under Federal Programs.  
8 They're Special Education. My apologies.

9 Q So looking at this, you would think it  
10 would have been under Special Education with Debbie  
11 Gay -- Deborah Gay?

12 A Which one are we looking at? I'm sorry.

13 Q The 12. It's over here, but prior to that  
14 in other years, where would it have fallen?

15 A Yes, it would have been under Debbie Gay.

16 Q So looking at Page 6 with the GEORGIA  
17 000012, earlier we -- you mentioned Nakeba Rahming  
18 and she was the GNETS program manager at that time?

19 A Yes.

20 Q And is she still at GaDOE?

21 A She is not.

22 Q When did she leave?

23 A It's been several years. I'm trying to  
24 think of the specific time. I would say at least  
25 five years she's been gone.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

62

1 Q And what was her role when she left?

2 A She was the deputy superintendent for  
3 Federal Programs.

4 Q And did she directly report to you at that  
5 time?

6 A She did.

7 Q Did other program managers directly report  
8 to you at that time?

9 A Not program managers, but I did have  
10 non-deputies report to me at that time.

11 Q On this Page 12, the GEORGIA 000012, why  
12 is GNETS separate from Special Education?

13 A It was a request made by the State Board.

14 Q And why was that?

15 A I don't know their thought process. They  
16 just requested that it be a direct report.

17 Q Let's turn to the 10th page. That's with  
18 the Bates number at the bottom that reads GEORGIA  
19 000016, and it was revised December 1st, 2017.

20 Let me know when you see that.

21 A Yes, I see it.

22 Q Okay. And then am I correct that on this  
23 organizational chart GNETS is no longer on its own  
24 and it's now under the Federal Programs office?

25 A That's correct.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

63

1 Q Is 2017 when this change was made?

2 A Should be around that time.

3 Q And what brought about this change?

4 A I think probably the role Nakeba had  
5 stepped into. So she had already previously been  
6 part of GNETS, and it would make sense for that  
7 program to be under her organizationally.

8 Also, fear of direct reports was not  
9 something I was necessarily upset over as well.

10 Q Understood.

11 Am I correct that on this organizational  
12 chart the GNETS program did not fall under Special  
13 Education Services and Supports?

14 A It appears so.

15 Q Does that match your recollection?

16 A It does.

17 Q But it's still under Federal Programs?

18 A That's correct.

19 Q Why was it independent from the Special  
20 Education Service and Supports Office?

21 A I believe that was a request Nakeba made,  
22 and again I think given her history of the  
23 department and what she had been under previously,  
24 she had asked that it be set up that way, at least  
25 temporarily.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

64

1 Q Was GNETS considered a special education  
2 program?

3 A I believe, yes.

4 Q But it did not fall here under the Special  
5 Education Services and Supports Office?

6 A Yeah, and again I think that had more to  
7 do with Nakeba's background as previously being over  
8 that program and how that fell organizationally.

9 Q Thank you, Mr. Jones.

10 When Nakeba first joined, and I think you  
11 said -- was it 2016 or 2017?

12 A I think around '17, I believe.

13 Q How much of your week was spent working on  
14 the GNETS program?

15 A I would say it was probably a regular part  
16 but not a significant part of my week.

17 Q 10 percent?

18 A I would say probably more single digits.

19 Q Who have you met with or conversed with  
20 outside of GaDOE related to the GNETS program?

21 A In the last eight years?

22 Q Yes. Maybe not every individual. Are  
23 there offices that you have spoken with and  
24 agencies?

25 A Within the --



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

65

1 Q Outside of GaDOE.

2 MR. BELINFANTE: Object to form.

3 You can answer.

4 A Office of Planning and Budget, DBHDD.

5 Those are all -- the only offices that come to mind.

6 Q Where does the Office of Planning and  
7 Budget sit?

8 A Under the Governor's office.

9 Q Were those conversations during that six-  
10 to eight-month period when you were onboarding  
11 Nakeba Rahming, or have they continued?

12 A They've continued but there have not been  
13 very many meetings with that topic.

14 Q Do you meet with individuals in the  
15 regional GNETS programs?

16 A Not regularly.

17 Q Once a year?

18 A Probably less than that.

19 Q Do you have contacts in all 24 regional  
20 GNETS programs?

21 MR. BELINFANTE: Object to form.

22 You can answer.

23 A Like could you clarify specifically what  
24 you mean by contacts?

25 Q Do you have the names of individuals in

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

66

1 the 24 regional GNETS programs and know how to reach  
2 out to them?

3 A I would have to get that pulled together  
4 for me to do that. That's not information I have  
5 readily available.

6 MS. TUCKER: I'd like the court reporter  
7 to mark this document as Plaintiff's Exhibit  
8 821.

9 (WHEREUPON, Plaintiff's Exhibit-821 was  
10 marked for identification.)

11 BY MS. TUCKER:

12 Q This is an email thread produced by the  
13 State between you and Karen Ward. The subject  
14 reads: "Your kindness has overwhelmed us," and the  
15 most recent date in the email thread is May 25,  
16 2019.

17 The Bates number on the bottom of the  
18 first page is GA03522859.

19 Mr. Jones, do you recognize this email  
20 thread?

21 A I do.

22 Q Who is Karen Ward?

23 A She is the administrative assistant at  
24 Cedarwood GNETS.

25 Q Did you work with her while you were

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

67

1 there?

2 A Yes, I did.

3 Q So she's been there for a bit?

4 A Quite a bit.

5 Q Looking at her email, what is Southern  
6 Fields?

7 A A restaurant.

8 Q And were you there with the Cedarwood  
9 regional GNETS staff?

10 A I was having -- I took my mom out for  
11 lunch and I noticed they were at another table and I  
12 paid for their lunch.

13 Q That was nice of you.

14 So this did not accompany a visit to the  
15 Cedarwood regional GNETS program?

16 A It did not. It was supposed to be a  
17 surprise, but I didn't get by with it apparently.

18 Q When is the last time you visited the  
19 Cedarwood regional GNETS program?

20 A I want to say it was the last time I  
21 substituted there.

22 Q Okay. So 2004?

23 A I believe so.

24 Q Do you speak with any RESAs?

25 A I do.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

68

1 Q How often?

2 A Specific directors or in totality, like  
3 all the directors together?

4 Q Let's start with specific directors. Are  
5 there certain directors you speak with more often  
6 than others?

7 A Not very regularly. We have a person  
8 that's our liaison with the RESAs. So they field  
9 most questions or concerns. Occasionally, one of  
10 them will come directly to me but most of them are  
11 used to going to our liaison.

12 Q And who is your liaison?

13 A Matt Cardoza.

14 Q And then collectively do you meet with  
15 them?

16 A I'll see them at professional meetings and  
17 conferences and things like that.

18 Q Put on by GaDOE?

19 A No. Through professional organizations.

20 Q Have you spoken with RESAs about the GNETS  
21 program?

22 A There's been some conversations and emails  
23 around GNETS. Mostly it's them initiating a  
24 discussion with me but, yes, there's been a few.

25 Q In the last year?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

69

1 A If there are any, it would be fairly --  
2 very few conversations.

3 Q What types of topics come up from the RESA  
4 related to GNETS?

5 MR. BELINFANTE: Object to form.

6 You can answer.

7 A Essentially, where is the lawsuit going,  
8 but I tell them I don't really have a crystal ball  
9 on that one, so.

10 Q Do you share --

11 A No real specifics.

12 Q Do you share anything else with the RESAs  
13 on the lawsuit?

14 A I do not.

15 Q Do you coordinate with Governor Kemp's  
16 office?

17 A Could you --

18 MR. BELINFANTE: Object to form.

19 A -- specify that or clarify that?

20 Q Sure. Do you work regularly with Governor  
21 Kemp's office in your role as chief of staff?

22 A I'm in regular communications with them.

23 Q Anyone specific?

24 A His education policy advisor.

25 Q And who is that?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

70

1 A Miranda Bradford. And his policy advisor.

2 Q Who is that?

3 A Ian.

4 Q Ian?

5 A Yes. And I forgot Ian's name. Don't tell  
6 him.

7 Q So Ian, the policy advisor?

8 A Caraway. Sorry. My apologies.

9 Q No problem. He doesn't know.

10 How frequently do you speak with Miranda  
11 and Ian?

12 A Every other week.

13 Q Is it a set meeting?

14 A No, it's not. As things come up.

15 Q Have you had conversations with Miranda  
16 related to the GNETS program?

17 MR. BELINFANTE: Object to form.

18 A There's none specifically I can think of.

19 Q How about Ian?

20 A There is none that I can think of  
21 specifically with Ian as well.

22 Q Has Governor Kemp's office requested  
23 information from you about the GNETS program?

24 A Specifically from me?

25 Q We'll start with you.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

71

1 A Not that I can remember.

2 Q Have they requested information from  
3 GaDOE?

4 A Possibly our budget office.

5 Q Would that request go through you?

6 A No, not necessarily.

7 Q Do you know of a request that they've made  
8 to the budget office?

9 MR. BELINFANTE: Object to form.

10 A I believe we've gotten budget requests,  
11 and it's more not requesting money but pulling  
12 together information or data or numbers.

13 Q Are these related about how the GNETS  
14 program is funded?

15 A Possibly.

16 Q Do you not recall?

17 A I didn't prepare them, and we receive lots  
18 of those types of requests, so it would be abnormal  
19 for me to be copied on an email or FYI because it's  
20 pretty -- a standard occurrence that wouldn't really  
21 stand out specifically because we get a lot of  
22 requests from the legislature, budget offices, about  
23 a bill or a program and the funding mechanisms or  
24 data around that.

25 Q Have you had conversations with either

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

72

1 Miranda or Ian related to continuing the GNETS  
2 program?

3 A No.

4 Q Have you had conversations with anyone in  
5 the Governor's Office?

6 MR. BELINFANTE: Object to form.

7 A Not that I can recall.

8 Q Have you had conversations with anyone in  
9 Governor Kemp's office related to this lawsuit?

10 A No, not that I can recall.

11 Q How about with former Governor Deal's  
12 office, did you have contacts there, too, that you  
13 regularly spoke with?

14 A We didn't have a very good relationship  
15 with that governor, so I would say there was  
16 probably minimal conversations.

17 Q Do you recall any conversations with  
18 Governor Deal's office about the GNETS program?

19 A There could have been one with OPB, but we  
20 were more invited. We weren't really part of the  
21 discussion or driving the discussion.

22 Q What led to the challenging relationship  
23 with Governor Kemp's office -- or what caused?

24 MR. BELINFANTE: Object.

25 A I don't know if the deposition is long



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

73

1 enough to go into it.

2 MR. BELINFANTE: Object to form.

3 A The previous superintendent ran for  
4 governor against Governor Deal, and so there was  
5 some, some bad blood between the department and the  
6 superintendent's position and the Governor's Office  
7 at that time.

8 Q Do you recall speaking with Mary Hunter  
9 Hipp in Governor Deal's office?

10 A Possibly. They were -- it was towards the  
11 end of the Governor's tenure and they were churning  
12 through lots of different people in that position  
13 because people were exiting. So it was -- it  
14 changed quite a bit who to talk to.

15 Q Or Alexis Oberg?

16 A Possibly. Several people filled that role  
17 within a short span of time. I wouldn't say we had  
18 close relationships with any of them.

19 Q Okay. And then with the office of  
20 planning and budget, what is your most -- what is  
21 the most recent meeting you've had with them related  
22 to GNETS funding?

23 A It's been at least a year, possibly two  
24 years.

25 Q And what was discussed?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

74

1           A       Just to make sure GNETS funding was  
2 something that was on the top of their mind. We  
3 didn't delve into details.

4           Q       Why did it need to be on the top of their  
5 minds?

6           A       I can actually remember it was at the  
7 start of the pandemic. The State was undergoing  
8 austerity cuts and all programs were being cut, and  
9 so we wanted to make sure that we brought specific  
10 attention to the GNETS program during that  
11 discussion.

12          Q       And why was that?

13          A       We just thought that if there was any  
14 relief to restore austerity, we were trying to  
15 prioritize where we thought the Governor's Office  
16 should restore funding to cuts that were made across  
17 the board.

18          Q       And who attended that meeting?

19          A       The Governor, the director of OPB, and  
20 other support staff. But it was a very brief  
21 discussion. It was at the end of the meeting.

22          Q       What is the Governor's Office of Student  
23 Achievement? Are you familiar with that office?

24          A       I am.

25          Q       Did that exist under Governor Deal?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

75

1 A It did.

2 Q And does it still exist under Governor  
3 Kemp?

4 A It does.

5 Q How do you work with this office?

6 A Very rarely work with the office.

7 Q Has the Governor's Office of Student  
8 Achievement asked you any questions related to the  
9 GNETS program?

10 A No, not that I can recall.

11 Q Have you raised any issues related to the  
12 GNETS program to the Governor's Office of Student  
13 Achievement?

14 A I have not.

15 Q Earlier you mentioned you also coordinate  
16 with DBHDD?

17 A We had a meeting. I believe I can think  
18 of one to two meetings that we had with them.

19 Q On GNETS?

20 A I think it was just therapeutic services  
21 overall, and GNETS came in as part of that  
22 discussion. I believe they had some leadership  
23 changes, so it was more of a -- building a  
24 partnership between the two organizations because  
25 they underwent a leadership change.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

76

1 Q And when was that?

2 A I can't -- it's been several years.

3 Q Five years?

4 A Probably at least four years.

5 Q Do you coordinate with DBHDD on other  
6 matters?

7 A I do not. And like I said, I think with  
8 that -- that specific meeting, they're the ones that  
9 reach out to us to set up meetings, to sit down with  
10 their leader and the superintendent, and I was in on  
11 that meeting.

12 Q Do you coordinate with the Department of  
13 Community Health?

14 A I do not.

15 Q Does anyone in GaDOE?

16 A Probably certain programs and staff  
17 members have a closer relationship than they do --  
18 than I do.

19 Q Do you know which office that would be?

20 A I'm not sure what specific offices would  
21 have that relationship.

22 Q How about with DBHDD, are there certain  
23 offices that do regularly coordinate with DBH --

24 A Probably so.

25 Q And which offices would that be?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

77

1           A       I'm not sure what specific offices would  
2       have that relationship either.

3           Q       Do you coordinate with any other state  
4       agencies in Georgia?

5                   MR. BELIFANTE: Object to form.

6           A       Can you clarify what you mean coordinate,  
7       by coordinate? Like regular meetings or --

8           Q       Yes, let's start with regular meetings.  
9       Do you have regular meetings?

10          A       I do not.

11          Q       Are there matters that require GaDOE to  
12       reach out to any other state agencies in Georgia?

13          A       I would say so.

14          Q       And what other agencies?

15          A       Typical that other education agencies in  
16       the State. So the University System, Technical  
17       College System, Georgia Student Finance, and the  
18       Professional Standards Commission.

19                   I would say those are the ones that I work  
20       the most closely with.

21          Q       Have you communicated --

22          A       And probably DECAL. I'm sorry. Our pre-K  
23       system as well.

24          Q       What is that called again?

25          A       DECAL, Department of Early Care and

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

78

1 Learning.

2 Q Have you spoken with DECAL related to the  
3 GNETS program?

4 A No.

5 Q Have you spoken with the other agencies  
6 related to the GNETS program?

7 A I have not.

8 Q Have you worked with DECAL regarding the  
9 provision of mental or behavioral supports to  
10 students?

11 A I have not directly, but I'm sure our  
12 agency has worked with them.

13 Q Mr. Jones, what is the Georgia General  
14 Assembly?

15 A Our legislature, which is made up of  
16 senators and representatives.

17 Q How do you coordinate with the Georgia  
18 General Assembly?

19 A We have a policy team that is kind of the  
20 point people that work directly with the  
21 legislature.

22 Q Who leads that team?

23 A Currently it's Tiffany Taylor, who is our  
24 deputy superintendent for policy.

25 Q And how big is Tiffany's team?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

79

1           A     They handle other things as well. They're  
2     not just the legislative team.

3                     We do a lot of other duties as a side  
4     sometimes. So I would say she has probably about  
5     20, 25 team members.

6           Q     And the legislative session started  
7     yesterday, right?

8           A     I believe so, yes.

9           Q     Is your job as chief of staff different  
10    during the legislative session?

11          A     I would say that it maybe take on more of  
12    a policy focused role during the session, but other  
13    than that it stays, stays the same.

14          Q     Okay. Have you had conversations with the  
15    Georgia General Assembly about funding for the GNETS  
16    program?

17                     MR. BELINFANTE: Object to form.

18          A     Yes.

19          Q     With whom?

20          A     The chairman of the appropriations, Senate  
21    Appropriations Committee.

22          Q     And who is that?

23          A     Chairman Blake Tillery.

24          Q     And when was that conversation?

25          A     Within the last year.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

80

1 Q Okay. What was discussed?

2 A We were trying to get an idea -- the  
3 Senate had requested some information and had asked  
4 us to pull together a report and we were trying to  
5 get some specifics on what information they were  
6 actually looking for because it was a pretty broad  
7 ask.

8 Q And what information were they looking  
9 for?

10 A He primarily clarified that it was more  
11 just -- he was trying to learn more about the  
12 programs. So any like enrollment data, any other  
13 kind of -- kind of a one-on-one type of situation  
14 where he was just trying to get an idea of the  
15 overview and outlook of the program.

16 Q And what did he share was the reason for  
17 this request?

18 A He's only been the budget chair for a few  
19 years and I think he's tried to become more up to  
20 speed on the different -- or the different parts of  
21 the budget. Education is a large part of the  
22 budget, and I'm sure he's heard about the GNETS  
23 program. So I think he was wanting some additional  
24 information specifically about that program.

25 Q And then this conversation you said was



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

81

1 about a year ago?

2 A Within the last year.

3 Q Within the last year?

4 A Yes.

5 Q And who else attended this conversation?

6 A Tiffany Taylor.

7 Q So you and Tiffany Taylor, and then Mr.

8 Tillery, and then who else?

9 A He had a staff member with him. I can't  
10 recall.

11 Q Had you requested information to prepare  
12 for this meeting from someone in GaDOE?

13 A No. It was essentially just -- we were  
14 just trying to get a sense of what information he  
15 was requesting from us.

16 Q And then did the conversation relate to  
17 the finding for the GNETS program?

18 A Yes, it did.

19 Q Okay. In what ways?

20 A He was mostly asking the staff member that  
21 joined us kind of what the current mechanics of the  
22 funding is and how special education funding works  
23 within QBE overall.

24 Like I said, it seemed to be most of him  
25 just trying to learn more about the program and the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

82

1 mechanics and get up to speed.

2 Q Did he have any follow-up questions?

3 A He did not.

4 Q Have you spoken with him or anyone in his  
5 office again related to the GNETS program and  
6 funding?

7 A I have not.

8 Q Have you had conversations with the  
9 Georgia General Assembly about other matters related  
10 to the GNETS program?

11 MR. BELINFANTE: Object to form.

12 A No, not that I can recall.

13 Q Your meeting with Mr. Tillery, was this  
14 after the end of the 2022 legislative session?

15 A Yes.

16 Q Have you had conversations with anyone in  
17 the Georgia General Assembly about this lawsuit?

18 A Yes.

19 Q Who?

20 A Senator Tillery is aware of the lawsuit.

21 Q Did it come up during that conversation?

22 A Not that I can remember. It really  
23 focused more on the funding mechanisms.

24 Q So you've had other conversations with  
25 Senator Tillery about the lawsuit?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

83

1           A     I think he, he has seen like in the news  
2     and those types of things. So I think he commented  
3     probably in passing, like, hey, I've seen an article  
4     about the GNETS lawsuit type of situation.

5                     He's a lawyer, so he is interested in  
6     those types of things. But it has not become a  
7     specific point of -- like a topic that we've  
8     discussed.

9           Q     Anyone else in the Georgia General  
10    Assembly?

11          A     No, not that I can think of.

12          Q     And then have you had conversations with  
13    anyone in the Georgia General Assembly about the  
14    advisability of continuing to maintain the GNETS  
15    program?

16                   MR. BELINFANTE: Object to form.

17          A     No, I have not.

18          Q     Mr. Jones, earlier you mentioned the  
19    Georgia State Board of Education?

20          A     Yes.

21          Q     How many members are on the Georgia State  
22    Board of Education?

23          A     14 members.

24          Q     And what is the relationship between GaDOE  
25    and the Georgia State Board of Education? How do

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

84

1 you-all work together?

2 A Formally or personality-wise?

3 Q Let's stick with the formal.

4 A Typically, they are oversight in policy  
5 making, and we're over operations.

6 Now, they do have an operational role.  
7 They can direct staff if needed to enact policies.

8 Q And who leads the Georgia State Board of  
9 Education?

10 A Currently the chair.

11 Q And who is the chair?

12 A Jason Downey.

13 Q How long has Jason Downey served as chair?

14 A This is his second -- he's going into his  
15 second year as chair.

16 Q Are you evaluated --

17 MS. TUCKER: Scratch that.

18 BY MS. TUCKER:

19 Q Does the Georgia State Board of Education  
20 provide feedback to you on your job?

21 A In what ways?

22 Q Do they advise you to take other -- have  
23 they expressed any dissatisfaction with your work?

24 MR. BELINFANTE: Object to form.

25 A Not as a whole.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

85

1 Q Have they directed you to take certain  
2 actions?

3 MR. BELINFANTE: Object to form.

4 A It's not a formal direction.

5 Q Does Superintendent Woods then report to  
6 the Georgia State Board of Education?

7 A He does not.

8 MR. BELINFANTE: Object to form.

9 Q Earlier you mentioned -- you asked if I  
10 was talking about personalities with the Georgia  
11 State Board of Education.

12 Can you elaborate with what you were  
13 thinking, your relationship with personalities?

14 A It's just 14 people, and so you just have  
15 to not only work with them on the policy issues but  
16 also get to know them as people and have good  
17 relationships on that end as well.

18 Q How often do the members change?

19 A They have seven-year terms.

20 Q Is it all at once or are they --

21 A They're staggered, but they can be  
22 reappointed.

23 Q When you say the State Board of Education  
24 has not expressed dissatisfaction with your  
25 performance as a whole, have they expressed

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

86

1 dissatisfaction on a certain project or assignment?

2 MR. BELINFANTE: Object to form.

3 A I can't think of a specific assignment or  
4 task.

5 Q Has any individual Board member expressed  
6 dissatisfaction with you?

7 A With me personally or around a program or  
8 a task that I was involved with?

9 Q Let's go with the latter.

10 A No.

11 Q With you personally then?

12 A Probably so.

13 Q And who was that?

14 A Like specific Board members?

15 Q Yeah. Which Board members?

16 A Ones that are currently on there or ones  
17 that had been on there since I've been --

18 Q Let's start with current.

19 A Probably Mr. Mike Royal, Mrs. Helen Rice.

20 Q Then what about past?

21 A I wasn't done yet.

22 Q Oh, I apologize.

23 A Mrs. Lisa Kennemore. That's it for the  
24 current.

25 And then Mr. Larry Winter, Mrs. Barbara

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

87

1 Hampton, Mr. Kevin Boyd.

2 That's all I can recall at the moment.

3 Q And were those concerns all around similar  
4 issues or different issues?

5 A They were just overall. It was -- they  
6 were appointed by the previous governor. So those  
7 -- the issues that were between the Governor's  
8 Office and the agency was carried over with his  
9 appointees for the Board.

10 Q Has the State Board of Education advised  
11 on certain priorities that the Georgia Department of  
12 Education should take?

13 A Yes.

14 Q Have any of those priorities been the  
15 GNETS program?

16 A They've expressed it's important to them  
17 but they have not made it a formal priority.

18 Q How have they expressed it's important to  
19 them?

20 A I think just wanting to have -- and this  
21 has kind of ebbed and flowed, too, I think. Just  
22 being able to have access to information if needed  
23 to understand the program, the lawsuit, and other  
24 dynamics.

25 Q And how is that communicated to you?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

88

1           A       Depending on the time frame, it was at a  
2 point where they felt comfortable with calling  
3 individuals within the agency to get the information  
4 directly. So I wasn't able -- I wasn't usually in  
5 the loop on those requests.

6           Q       You were usually in the loop?

7           A       Usually not in the loop.

8           Q       Do your reports then let you know?

9           A       Not necessarily.

10          Q       When did you first become familiar with  
11 the GNETS program?

12          A       The existence of the program?

13          Q       Uh-huh.

14          A       When I substitute taught.

15          Q       And can you describe the GNETS program?

16          A       It's a set of services for students that  
17 have severe disabilities, typically EBD.

18          Q       And what purpose does it serve?

19          A       To provide those students with intensive  
20 supports.

21          Q       And was that the same purpose when you  
22 were working or subbing at Cedarwood?

23          A       That's what I was able to gather in that  
24 situation.

25          Q       From your role as chief of staff, have you



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

89

1 -- do you think there's been any changes to the  
2 purpose?

3 A I think it still serves that purpose.

4 Q What type of therapeutic services are  
5 offered at GNETS?

6 A When I was substitute in a GNETS or when I  
7 was -- just in totality?

8 Q We can start with your substituting.

9 A I saw speech therapists, occupational  
10 therapists, other therapists that would come in  
11 regularly to support the students.

12 Q How about in totality, is it the same?

13 A Similar services. I don't know from one  
14 program to the next but similar services.

15 Q Earlier we agreed there are 24 regional  
16 GNETS programs, right?

17 A I think some support specific districts,  
18 though, correct? Do they support a cluster of  
19 districts?

20 I think typically other regional.

21 Q Has that number of 24 regional programs  
22 changed during your time at GaDOE?

23 A I don't think the regional has changed.  
24 It could have, but the number seems pretty familiar  
25 to me.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

90

1 Q Okay. I think this is a good time for a  
2 quick little break, if that's okay.

3 A Yes.

4 THE VIDEOGRAPHER: We're off the record at  
5 10:44 a.m.

6 (A recess was taken.)

7 THE VIDEOGRAPHER: Back on the record at  
8 11:08 a.m.

9 BY MS. TUCKER:

10 Q Welcome back.

11 I just wanted to follow up on a few things  
12 from earlier.

13 A Okay.

14 Q The Cedarwood regional GNETS center you  
15 worked in, you said it was in Lyons, Georgia?

16 A That's correct.

17 Q And that's spelled L-Y-O-N-S?

18 A That's correct.

19 Q You also mentioned when you were chief  
20 academic officer there were -- someone named Barry  
21 reported to you? Is that correct?

22 A I don't recall that.

23 Q Maybe we heard that wrong.

24 Who reported to you when you were chief  
25 academic officer?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

91

1           A       I believe it was Melissa Fincher, who was  
2 over Assessment and Accountability.

3                   Avis King, who was over School Improvement  
4 Federal Programs.

5                   Curriculum and Instruction, which was  
6 Martha Rycraft.

7                   And I feel like there's someone else. I  
8 apologize. If I remember them, I'll let you know.  
9 Thank you.

10          Q       Thank you.

11                   You also mentioned a meeting with the  
12 Office of Planning and Budget right around the start  
13 of COVID, correct?

14          A       It was during the pandemic.

15          Q       During the pandemic?

16          A       Yes.

17          Q       So 2020. Where you-all ID'ed the GNETS  
18 program to be prioritized for relief for austerity;  
19 is that correct?

20          A       That's correct.

21          Q       And why did you identify the GNETS program  
22 as a priority?

23          A       We just felt like -- just prioritizing  
24 where austerity cuts had been made in education,  
25 that that program should be high on the list to get

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

92

1     austerity restored from the Governor's Office.

2             Q     And who made that decision?

3             A     The superintendent.

4             Q     Were you part of that decision making?

5             A     Yes.

6             Q     Anyone else at GaDOE?

7             A     Our CFO knew about it, but weren't really  
8     involved in setting those priorities.

9             Q     And who was your CFO at that time?

10            A     Rusk Roam.

11            Q     How do you spell his last name?

12            A     R-O-A-M.

13            Q     Is he still with GaDOE?

14            A     He is.

15            Q     Did GaDOE identify other priorities office  
16    -- programs at that time?

17            A     Yes, we did.

18            Q     How many?

19            A     Just a few. Most of them had to do with  
20    generally restoring austerity in the general QBE  
21    budget. And there might have been a few other  
22    programs listed as well.

23            Q     Did OPB provide the GNETS program with the  
24    relief you requested?

25            A     Yeah, eventually they did.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

93

1 Q You say eventually. Was it --

2 A In a supplement budget, so it came -- I  
3 believe once the Governor's Office had a sense of  
4 where the pandemic was going and the impact it was  
5 going to have economically, they felt more  
6 comfortable with restoring austerity, and they did  
7 that across the board not only to GNETS but to the  
8 general education formula as well.

9 Q Why was GNETS high on your priority list?

10 A Again, we just -- we felt like a program  
11 like GNETS is one that we prioritize restoring  
12 austerity, that that program should get the funding  
13 restored, compared to like our own agency budget or  
14 another agency. We felt like it was a critical  
15 program, so we wanted to make sure it didn't get a  
16 funding cut.

17 Q I just want to make sure I understand.

18 What about the program makes it -- made it  
19 critical?

20 A We tried to -- I think the decision-making  
21 was anything that we felt directly impacted  
22 students, we felt like those programs needed to get  
23 austerity restored versus those that impacted  
24 specifically adults. So, for instance, we didn't  
25 include our own agency's budget to be restored. So

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

94

1 we kept our own austerity, and we wanted as much as  
2 -- if there was a priority on what to be restored,  
3 everyone but us be restored if that had to happen.

4 Q Was GNETS identified over other programs  
5 that directly impacted students?

6 A No. I think it was pretty much mentioned  
7 -- all the programs that directly impacted students.

8 Q Thank you.

9 MS. TUCKER: I'd like the court reporter  
10 to mark the following document as Plaintiff's  
11 Exhibit 822.

12 (WHEREUPON, Plaintiff's Exhibit-822 was  
13 marked for identification.)

14 BY MS. TUCKER:

15 Q Mr. Jones, this is an August 10th, 2015  
16 email produced to us by the State. The email is  
17 from Clara Keith to you with the subject "GaDOE  
18 GNETS Job Description."

19 There's one attachment, and the Bates  
20 number on the bottom first page reads GA03463082.

21 Do you recognize this email and the  
22 attachment?

23 A I do.

24 Q Who is Clara Keith?

25 A At this time she was -- she worked at the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

95

1 Georgia Department of Education under our Race to  
2 the Top program.

3 Q You said at this time. Does she work at  
4 GaDOE still?

5 A She left the agency.

6 Q When?

7 A After this, she worked for I believe  
8 DBHDD, and then she retired from there, state  
9 government.

10 Q Did you know Clara Keith prior to working  
11 at GaDOE?

12 A I did not.

13 Q In this email do you see where she writes,  
14 quote: "I promised you I would send you my thoughts  
15 on a job description for the GNETS -- "GaDOE GNETS  
16 Program Manager."

17 Do you see that?

18 A I do.

19 Q Have you -- did you ask Clara Keith to  
20 draft a job description?

21 A I believe the Board asked her to pull  
22 together something, and she was keeping me in the  
23 loop.

24 Q So requests like that came directly from  
25 the Board --

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

96

1 A Yes, they could.

2 Q -- to Clara Keith? Okay.

3 And had you asked her to keep you in the  
4 loop?

5 A To the best of her abilities.

6 Q On all of her job responsibilities or  
7 related to GNETS?

8 A All of her responsibilities, but  
9 particularly I know Board members were reaching out  
10 to her specifically to this one, and so I was trying  
11 to keep in the loop as much as I could given the  
12 dynamics.

13 Q Earlier you said Clara worked for the Race  
14 to the Top program?

15 A That's correct.

16 Q So why did the Board reach out to her to  
17 create the GNETS program manager position?

18 A They selected her as the point person on  
19 the issue overall.

20 Q Did it relate to Race to the Top?

21 A Not to my knowledge.

22 Q Are you often involved in overseeing the  
23 drafting of job descriptions?

24 A They're shared with me, but typically I  
25 don't get into the crafting of job descriptions, but



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

97

1 they're not a direct report necessarily position.

2 Q Let's look at the final two sentences. Do  
3 you see where Clara Keith wrote, quote: "You will  
4 notice that many of the duties from the performance  
5 reports. It made sense to start with that report  
6 and recommendations." End quote.

7 Do you see that?

8 A I do.

9 Q What did you understand the performance  
10 reports to refer to?

11 A I would -- probably assumed at the time  
12 the audit reports.

13 Q And when you say audit reports, what do  
14 you refer to?

15 A The performance audit that was done on the  
16 program by the Department of Audits.

17 Q On the GNETS program?

18 A Yes.

19 Q And what did you understand that report  
20 and recommendations refer to in her second -- her  
21 last sentence?

22 A The report itself, the performance audit  
23 report and the recommendations that were included in  
24 that report.

25 Q So this is a 2010 audit of the GNETS

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

98

1 program?

2 A That's correct.

3 Q Had you shared that audit with Clara  
4 Keith?

5 A She had known about the audit before I  
6 did.

7 Q When were you made aware about it?

8 A Very close to these events because it was  
9 performed in 2010, and the report was shared with  
10 the agency in 2010. So it wouldn't have popped on  
11 our radar, because we came in on 2015, and the  
12 agency had responded back in 2010. So we didn't  
13 really know about the existence specifically of a  
14 report until close to these events.

15 Q Who shared the report to you?

16 A I couldn't recall who specifically shared  
17 it with me.

18 Q Have you read the report in full?

19 A I have.

20 Q What did you think of it?

21 A Seemed like a typical performance report  
22 from auditors.

23 Q Did you have any specific concerns after  
24 reading the 2010 after the GNETS program?

25 A I didn't receive any concerns from staff

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

99

1 when I brought the report up, and I saw that the  
2 agency had responded throughout the report to the  
3 Department of Audits.

4 Q Did you take any steps related to the 2010  
5 audit report?

6 MR. BELINFANTE: Object to form.

7 A No, specifically I did not take any steps.

8 Q Did Clara Keith right this first draft  
9 that's attached?

10 A I'm not sure.

11 Q What role did you play once you received  
12 this job description? What did you do?

13 A Probably told her it looked okay with me.

14 Q Did you make any edits?

15 A Not that I can recall.

16 Q Did you share it with anyone else?

17 A I believe I shared it with a Board member.

18 Q A Board member?

19 A Yes.

20 Q And who was that?

21 A I think Mr. Larry Winter.

22 Q And why did you share it with Larry  
23 Winter?

24 A He had asked for it to be shared with him.

25 Q Did he provide information on why he

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

100

1 wanted it to be shared with him?

2 A No, he did not.

3 Q Did you ask any follow-up?

4 A I did not. I just shared it with him.

5 MS. TUCKER: I'd like the court reporter  
6 to mark the following document as Plaintiff's  
7 Exhibit 823.

8 (WHEREUPON, Plaintiff's Exhibit-823 was  
9 marked for identification.)

10 BY MS. TUCKER:

11 Q Mr. Jones, this is a September 16, 2015  
12 email produced to DOJ by the State.

13 The email is from Deborah Gay to you and  
14 Denise Peterson, with the subject "GNETS position."

15 And there are two attachments.

16 The Bates number on the bottom of the  
17 first page reads GA03463406.

18 Do you recognize this email, Mr. Jones,  
19 and the attachment?

20 A Yes, I do.

21 Q Earlier you spoke about Deborah Gay. Can  
22 you remind me what her position was at that time?

23 A She was over our special education team.

24 Q And then who is Denise Peterson?

25 A She is over -- she was over HR at the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

101

1 time, our HR director.

2 Q Is she still at GaDOE?

3 A She is not.

4 Q When did she leave?

5 A Probably around four to five years ago.

6 Q Who holds that position?

7 A Arveeta Turner.

8 Q Can you spell that?

9 A A-R-V-E-E-T-A, Turner.

10 Q Looking at Deborah Gay's email, she says  
11 that she, quote, "attached a revised GNETS job  
12 posting."

13 Do you see that?

14 A Yes, I see that.

15 Q Is this a revised version of the earlier  
16 document that Clara Keith shared with you?

17 A I would have to compare the two.

18 Q Would you agree that the job announcement  
19 attachment is for the GNETS program manager  
20 position?

21 A Yes -- well, actually, this says  
22 specialist position on it but...

23 Q So was that different than the GNETS  
24 program manager position?

25 A It was probably an error that was

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
102

1 corrected before it was posted.

2 Q Okay. Did you have a GNETS program  
3 specialist at that time?

4 A I'm not sure. I don't believe we have, in  
5 title. I believe we had some people supporting the  
6 program but not someone with a specific title  
7 related to the program.

8 Q At that time, who were those individuals?

9 A I'm not sure.

10 Q Looking back at Deborah Gay's email, she  
11 continued, quote, "Please let me know if you would  
12 like me to move forward with reposting."

13 Do you see that?

14 A Yes, now I do.

15 Q What did you understand Deborah Gay to be  
16 asking you?

17 A With that specific sentence?

18 Q Uh-hum.

19 A I would, I would assume it probably would  
20 have meant to Denise and not specifically a  
21 statement made to me.

22 Q And she's speaking about reposting,  
23 correct?

24 A Correct.

25 Q Had this -- had the GNETS program manager

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
103

1 position or the specialist position been posted  
2 already?

3 A I'm not sure.

4 Q Okay. Do you recall if it had been posted  
5 and taken down at any point?

6 A It's a possibility, but I don't remember  
7 that happening.

8 Q Do you see in the last paragraph where  
9 Deborah Gay writes, starting, quote: "It has also  
10 been suggested to me that a team be assembled rather  
11 than a fulltime position. Expertise in therapeutic  
12 services, instruction and administrative rather than  
13 a fulltime position."

14 Do you see that?

15 A I do.

16 Q That didn't happen, right?

17 A That seems a lot for someone to add to  
18 their plate versus someone fully focused on those  
19 things.

20 Q Well, it seems she's suggesting a team be  
21 assembled.

22 A Got it.

23 Q Is that how you're reading it as well?

24 A That's not how I read it just now. I read  
25 it for some reason as like someone on her team,

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

104

1 those duties being added, versus a full-time  
2 position.

3 I'm not sure I could have possibly  
4 interpreted it that way then as well.

5 Q Was there ever a conversation that you had  
6 about instead of hiring a GNETS program manager that  
7 a team be assembled?

8 A Not during this time. And not to me  
9 directly.

10 Q How about at a different time?

11 A I believe now the current structure  
12 there's more than one person that's supporting  
13 GNETS. So over time we could see that a team has  
14 been added because it's more than one.

15 Q How many individuals support GNETS right  
16 now?

17 A I believe at least two.

18 Q And who are those individuals?

19 A Vickie --

20 Q Cleveland?

21 A Cleveland, yes. Thank you.

22 Q And who else?

23 A I couldn't name the other individual.

24 Q Does the other individual report to Vickie  
25 Cleveland?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
105

1           A       That's my understanding. God forgive me,  
2 we have 1,200 people that work at the department.

3           Q       I understand.

4                   Does Lakesha Stevenson -- does that name  
5 ring a bell?

6           A       That name rings a bell.

7           Q       Okay. So at that time you had not  
8 considered a team versus the GNETS program manager?

9           A       I had not considered that and no one had  
10 brought that to me.

11          Q       Let's look at the attachment, so the one  
12 ending in 07.

13                   Do you have that in front of you?

14          A       Yes.

15          Q       Under "Description of Duties," do you see  
16 where it states, quote: "Under limited supervision  
17 and aligned to general supervision of the  
18 Individuals with Disabilities Act, provide  
19 leadership and general supervision to the Georgia  
20 Network for Educational and Therapeutic Supports,"  
21 and then in parenthesis "GNETS."

22                   "This position requires leadership to the  
23 GNETS program in the areas of effective management  
24 and organizational structures. Additionally, this  
25 individual must possess knowledge of budget

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
106

1 development and fiscal accountability required to  
2 review the facility funding application process in  
3 conjunction with GaDOE staff."

4 Do you see that?

5 A I do.

6 Q Is this description in the job posting  
7 accurate with the GNET program manager's role?

8 MR. BELINFANTE: Object to form.

9 A Yes, that describes what type of person  
10 they were looking for to carry out those duties.

11 Q Does it describe the GNETS program manager  
12 role as of now?

13 A I think it would describe it at this time.  
14 I'm sure the role could have changed since then.

15 Q Is there anything in this sentence that I  
16 read that would not be applicable to that individual  
17 today?

18 A Not --

19 MR. BELINFANTE: Object to the form.

20 A Not to my knowledge.

21 MR. BELINFANTE: Excuse me.

22 Q Okay. Let's look at the next sentence.

23 This -- quote: "This position requires  
24 the skills to collaborate with local school  
25 districts, oversee the implementation of an

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
107

1 instructional program, the provision of therapeutic  
2 supports to students and families and the  
3 implementation of positive behavior supports at a  
4 program wide level, targeted group and intensive  
5 individual."

6 Do you see that?

7 A Yes.

8 Q Is that sentence consistent with the GNETS  
9 program manager's current role?

10 MR. BELINFANTE: Object to form.

11 A Yes.

12 Q Let's look at the next sentence.

13 Starting, quote: "Oversight of compliance  
14 with all requirements of federal regulations and  
15 state board rules applicable to students with  
16 disabilities."

17 Do you see that?

18 A Yes.

19 Q Is that description consistent with the  
20 current GNETS program manager role?

21 MR. BELINFANTE: Object to form.

22 A Yes.

23 Q Thank you.

24 Mr. Jones, I'm going to show you a  
25 previously admitted exhibit. I'll just pull it up.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
108

1 This was an exhibit previously marked as  
2 Plaintiff's Exhibit 621.

3 (WHEREUPON, Plaintiff's Exhibit-621 was  
4 previously marked for identification.)

5 BY MS. TUCKER:

6 Q This is an email thread between you and  
7 Larry Winter with the subject reading: "GNETS  
8 position."

9 The most recent email in the thread is  
10 September 18, 2015, and the Bates number on the  
11 bottom of the page reads GA03463431.

12 And this document was produced to us by  
13 the State.

14 Do you recognize this email?

15 A Yes.

16 Q Earlier you said Larry Winter was a member  
17 of the State Board of Education?

18 A That's correct.

19 Q Did he hold a specific position?

20 A He was a chair of the Audits Committee, I  
21 believe.

22 Q And when did he leave that position?

23 A Three years ago, possibly.

24 Q Earlier -- a moment ago you said you  
25 shared the job description with Larry Winter. Was

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
109

1 this you sharing it?

2 A That's correct.

3 Q And this was the GNETS program manager  
4 position, correct?

5 A That's correct.

6 Q And did you share this with any other  
7 State Board of Education members?

8 A Not to my knowledge.

9 Q And I'm correct earlier you said you sent  
10 this to Mr. Winter because he requested it?

11 A That's correct.

12 Q Is it typical for State Board of Education  
13 members to review job postings for GaDOE personnel?

14 A At this time it was not atypical for that  
15 to happen. It wasn't atypical for that to happen  
16 during this time.

17 Q When did that change?

18 A Probably within the last three years.

19 Q And why?

20 A The changes on the Board.

21 Q Was it generally Mr. Winter or other folks  
22 on the State Board?

23 A Other folks on the State Board.

24 Q And from looking at that email -- yeah,  
25 the Plaintiff's Exhibit 621, would you agree the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

110

1 GNETS program manager position was posted on  
2 September 18, 2015?

3 A Yes, it looks like it.

4 Q Okay.

5 MS. TUCKER: I'd like the court reporter  
6 to mark the following document as Plaintiff's  
7 Exhibit 824.

8 (WHEREUPON, Plaintiff's Exhibit-824 was  
9 marked for identification.)

10 BY MS. TUCKER:

11 Q Mr. Jones, this is an email thread between  
12 you, Deborah Gay, and Clara Keith.

13 This was produced to us by the State and  
14 the subject reads "Interview Questions."

15 And there's one attachment. The most  
16 recent email on the thread is dated October 12,  
17 2015.

18 The Bates number on the bottom of the  
19 first page reads GA03463605.

20 Mr. Jones, do you recognize this email and  
21 the attachment?

22 A I do.

23 Q Let's turn to the bottom email from Clara  
24 Keith to Deborah Gay.

25 Do you see that?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

111

1 A Yes.

2 Q It appears that Clara Keith has -- now has  
3 a DBHDD email address. Is that correct?

4 A That's correct.

5 Q And the earlier email we look at, she had  
6 a GaDOE email address?

7 A Yes.

8 Q So did she work for both GaDOE and DBHDD  
9 at the same time?

10 A I believe she was transitioning to that  
11 new role at DBHDD.

12 Q Is it typical for external agencies like  
13 DBHDD to be involved with GaDOE hiring decisions?

14 A Not typical, but it's been done before.  
15 We've pulled in partners to be part of the interview  
16 process.

17 Q What other positions?

18 A Um, I can't come up with any off the top  
19 of my head, but I know we have done it in the past.

20 Q Less than five positions?

21 A My purview is only kind of top tier  
22 candidates, so I'm not sure kind of what -- it could  
23 happen a lot more than five, five times, for other  
24 positions within the agency.

25 Q From your experience, from what you know?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

112

1 A So from what I've been directly involved,  
2 probably around that number.

3 Q What was Clara Keith's role at DBHDD?

4 A I'm not sure specifically what the role  
5 was.

6 Q How long did she transition and continue  
7 working for both agencies?

8 A I'm not sure.

9 Q Who did Clara Keith report to?

10 A She reported, I believe -- I believe she  
11 reported to me at this -- while she was associate  
12 superintendent the rest of the time.

13 Q And then --

14 A But I believe she reported to the  
15 Commissioner while she was at DBHDD.

16 Q At this time was she still reporting to  
17 you?

18 A I'm not sure.

19 Q Do you see that she wrote to Debbie,  
20 quote, "I picked up the resume from Linda."

21 Do you see that?

22 A I do.

23 Q Who is Linda?

24 A Linda was Debbie's administrative  
25 assistant.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

113

1 Q What's her last name?

2 A Rawlins.

3 Q Is she still at GaDOE?

4 A Yes.

5 Q Is she still administrative assistant for  
6 the position that Debbie Gay held? Or does she have  
7 a different position?

8 A I think she has a different position.

9 Q And what is it?

10 A I'm not sure, but she's still  
11 administrative assistant.

12 Q What did you understand Clara Keith to  
13 mean by her picking up the resume?

14 A I did not read down in this email thread.  
15 I think I just read the very top, which was here's  
16 the questions for the upcoming interview, and I saw  
17 that it was handled, and I probably moved on to the  
18 next email in my inbox.

19 Q Thank you. So at the top email, the one  
20 that you looked at, do you see where Deborah Gay  
21 writes she attached questions from Clara Keith?

22 A Yes.

23 Q And these are the interview questions for  
24 the GNETS program manager position?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

114

1 Q Okay. Did you participate in the drafting  
2 of these questions?

3 A I believe they pulled that together.

4 Q Did you provide any feedback on the  
5 questions after you received them?

6 A I don't believe I did.

7 Q Did you okay them?

8 A I don't believe that I did. I felt like  
9 they had a handle. So it was more kind of just  
10 keeping me in the loop as things progressed versus  
11 weighing in for me as things happened.

12 Q Did you ask to see the interview  
13 questions?

14 A I don't believe I did. I think they were  
15 just again trying to keep me in the loop on how  
16 things were progressing.

17 Q Let's look at the attachment, beginning  
18 with GA03463606.

19 And these are the interview questions for  
20 the GNETS program manager position, correct?

21 A Correct.

22 Q So looking at the attachment, there are  
23 questions and room for the interviewer's comments  
24 and the interviewer's scores, correct?

25 A Correct.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

115

1 Q Was there a rubric to assess answers?

2 MR. BELINFANTE: Object to form.

3 A I couldn't recall if there was something  
4 supplemental to this or not.

5 Q Did more than one person interview the  
6 GNETS position candidates?

7 A Yes.

8 Q How many folks joined the interview?

9 A I believe it was three.

10 Q And who?

11 A Myself, it was Deborah, and I believe it  
12 was Clara.

13 Q Did you, Deborah and Clara discuss what  
14 you were looking for in these answers from the  
15 interview candidates?

16 A I think there was probably more discussion  
17 between Deborah and Clara because they knew kind of  
18 the program. I was looking more at the leadership  
19 style and those type of competencies versus  
20 programmatic competencies.

21 Q Did you still assess folks on the  
22 programmatic competencies?

23 A I don't -- I don't remember doing that.

24 Q Let's look at some of the questions.

25 On the first page do you see the question

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
116

1 that reads, quote: "What is the State's role in  
2 implementing the GNETS program?"

3 Do you see that?

4 A Yes.

5 Q Why was this asked to candidates?

6 A I'm not sure. I didn't develop that  
7 question.

8 Q Did you look for certain answers when  
9 assessing candidates on that question?

10 A I can't say that I did.

11 Q Were there any conversations between you,  
12 Deborah, and Clara Keith about what answers would be  
13 best for candidates to respond to that question?

14 A I don't remember that being a question we  
15 really zeroed in on as a discussion point.

16 Q Let's look down two questions. Do you see  
17 the question that reads: "Share your thoughts on  
18 the relationship between instruction and therapeutic  
19 support."

20 A Yes.

21 Q Why was this question asked?

22 A I think both are important -- important in  
23 the setting for these students, and we wanted to  
24 make sure our candidate had a balance of both.

25 Q Was there a certain type of response that

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

117

1 you were looking for when assessing candidates?

2 A Not that I recall.

3 Q Do you recall conversations with Clara and  
4 Deborah about candidates' answers to this question?

5 A I do not.

6 Q On the second page, do you see the  
7 question that reads: "What qualities do you think a  
8 manager implementing a large school program with  
9 political, local school/school district, state (and  
10 perhaps national) interest should possess?"

11 A Yes, I see it.

12 Q Why was this question asked?

13 A I think this would be a good question for  
14 anybody that is in a leadership role at the  
15 Department because they had to navigate all those  
16 things to do their work.

17 Q And I know you said you were looking to  
18 assess a lot of the leadership questions. So what,  
19 what qualities were you looking for in candidates?

20 A I think just a collaborative spirit and  
21 consensus building, and just an approach that seems  
22 supportive and not top-down.

23 That's a cultural change the  
24 superintendent had kind of pushed across the agency  
25 as serve and support versus top-down approach to our

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
118

1 districts. So I think we were looking to make sure  
2 we had a leader that was in that same vein and  
3 philosophy that we had.

4 Q And what did you discuss with Clara and  
5 Deborah related to candidates' answers to this  
6 question?

7 A I can't remember specifics to this  
8 question.

9 Q How many candidates did you interview for  
10 this position?

11 A I would assume at least three, but I  
12 couldn't recall the specific number of candidates.

13 Q Did you interview Nakeba Rahming?

14 A Yes, I was in that interview.

15 Q And were both Clara Keith and Deborah Gay  
16 in that interview?

17 A They were.

18 Q Was Nakeba Rahming your top choice for the  
19 position?

20 A She was.

21 Q Why?

22 A From the -- my side of things, she seemed  
23 to have the things we were looking for in a leader,  
24 and then from the programmatic piece of things,  
25 Clara and Deborah -- or Debbie, both agreed that she

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

119

1 had a good skill set and knowledge of that as well.  
2 So she seemed like the perfect fit for the position.

3 Q And what again were you looking for,  
4 qualities in a leader?

5 A Yeah, I think just, you know, overall  
6 leadership style, the serve and support mentality,  
7 the collaborative spirit. Because this person would  
8 have to work with a lot of different partners and  
9 across the agency, in that instructional and  
10 therapeutic background as well.

11 Q What was her instructional and therapeutic  
12 background?

13 A She came from Florida and seemed to have a  
14 strong resume from Florida.

15 Q Earlier you mentioned she was your top  
16 choice. Was she also Debbie Gay's and Clara Keith's  
17 top choice?

18 A Yes.

19 Q I'm going to show you what was previously  
20 introduced as Plaintiff's Exhibit 622.

21 (WHEREUPON, Plaintiff's Exhibit-622 was  
22 previously marked for identification.)

23 BY MS. TUCKER:

24 Q This is a December 3rd, 2015 email thread  
25 between you and Larry Winter, produced to us by the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
120

1 State. The subject reads "GNETS Position."

2 The Bates number on the bottom of the  
3 first page of the document is GA03464539.

4 Do you recognize this email thread?

5 A I do.

6 Q Please look at your email to Larry Winter  
7 at the bottom of the page.

8 Do you see that?

9 A Yes.

10 Q And then am I correct you're letting Larry  
11 Winter know you plan to make a recommendation to  
12 fill the GNETS program manager position?

13 A Yes.

14 Q And that recommendation was for Nakeba  
15 Rahming?

16 A Yes.

17 Q Are State Board of Education members  
18 alerted prior to submission of a formal  
19 recommendation of a candidate to hire?

20 A Yes.

21 Q Still?

22 A Sometimes.

23 Q And --

24 A They ultimately approve hire, so it's  
25 important for them to be aware of possible personnel



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
121

1 recommendations.

2 Q Do they approve all hires?

3 A All but five.

4 Q Which five do they not approve?

5 A The ones that are politically appointed by  
6 the superintendent.

7 Q Which five of those?

8 A Currently?

9 Q Uh-hum.

10 A It would be myself, Keith Osburn,  
11 Stephanie Johnson, and Tiffany Taylor.

12 Q So Tiffany Taylor works on policy?

13 A That's correct.

14 Q What does Keith Osburn work on?

15 A He's our CIO of technology.

16 Q Stephanie Johnson?

17 A School improvement.

18 Q That's one --

19 A We have an open position.

20 Q What's the open position?

21 A It's just open. So he can use that as  
22 needed, but it hasn't been filled by anyone.

23 Q Understood.

24 Had Larry Winter asked for an update at  
25 that time?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
122

1           A       He wanted to be kept in the loop on that  
2       issue.

3           Q       Do all State Board of Education members  
4       review all application -- all recommendations for  
5       hire?

6           A       No.

7           Q       No, okay.

8                   So is it certain individuals?

9           A       Yes, it can be certain individuals.

10          Q       So does HR regularly funnel these  
11       recommendations to the State Board for their  
12       approval?

13          A       Typically I do that because I work more  
14       closely with the Board than the HR Department does.  
15       So typically if they have an interest -- I know they  
16       have an interest proactively or they've expressed an  
17       interest in a certain position, I make sure they're  
18       in the loop, so that when it's recommended to them,  
19       they're not getting it in the moment and having  
20       questions in the moment.

21          Q       Did Larry Winter have questions regarding  
22       Nakeba Rahming's recommendation?

23          A       Not that I can recall. I think he felt  
24       satisfied with the recommendation.

25          Q       Okay. Let's look at the bottom paragraph.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
123

1 Do you see where you wrote, quote:

2 "Currently, we have someone occupying the cube  
3 outside of Clara's office. As promised, they will  
4 be moved to the GNETS person has a clear space when  
5 they start."

6 Do you see that?

7 A Yes.

8 Q And Clara is Clara Keith?

9 A That's correct.

10 Q She still had a space at GaDOE even though  
11 she was at DBHDD at that time?

12 A Yes, or transitioned to DBHDD. I don't  
13 know that specific timeline, but yes.

14 Q Are State Board of Education members  
15 involved in personnel office locations?

16 A He specifically requested this.

17 Q Why?

18 A I didn't ask the reasoning behind it.  
19 Didn't seem like an -- of all requests it didn't  
20 seem like an employee's location was one to really  
21 fuss about. So it was an easy one to fulfill. So  
22 he requested it and we met that request.

23 Q Have you had other State Board of  
24 Education members request certain office locations  
25 for personnel?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
124

1 A Yes, that has happened before.

2 Q More than five times?

3 A Probably within five times.

4 Q Have you asked for reasons other times?

5 A No.

6 Q So Clara Keith had an office at GaDOE even  
7 when she transitioned to DBHDD?

8 A Did I think she had a spot? Yes.

9 Q And how long was that for?

10 A I'm not sure.

11 Q Do you as chief of staff typically  
12 determine where GaDOE employees sit?

13 A It depends on what level they are. But  
14 across the entire agency, no, I don't get into where  
15 they sit. It really doesn't matter to me where an  
16 employee sits.

17 Q Then the next sentence reads: "Also, the  
18 GNETS position made a direct report to me."

19 Do you see that?

20 A Yes.

21 Q I'm assuming there's a typo. Did you mean  
22 the GNETS position will make a direct report to me?

23 A No. I believe that we made them a direct  
24 report.

25 Q They were made a direct report to you?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
125

1 A Yes.

2 Q Okay. And I know we've spoken about it a  
3 little bit, but what does it mean to be a direct  
4 report?

5 A Just be directly supervised by me.

6 Q Okay. So does that mean that you evaluate  
7 those positions?

8 A Not necessarily.

9 Q In what instances would you not evaluate  
10 your direct report?

11 A Sometimes it can be specific positions  
12 that need to coordinate across the agency. Putting  
13 it within an office makes that coordination  
14 difficult because they have to work with all the  
15 other offices.

16 So we have pulled out people that, quote,  
17 need to be more independent to pull different  
18 offices together, to better collaborate and  
19 coordinate. So it's not necessarily an oversight or  
20 supervisory or evaluation; it's more just a function  
21 the agency. They're, quote, independent so it's  
22 easier for them to coordinate and collaborate across  
23 the agency instead of being a part of a specific  
24 established team.

25 Q Okay. And what prompted you to share this

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
126

1 information with Mr. Winter?

2 A He had requested that reporting.

3 Q And did he give a reason for that request?

4 A No, he did not.

5 Q Did you follow up?

6 A No.

7 Q You didn't question?

8 You didn't question Larry Winter?

9 A No.

10 Q Nakeba Rahming is no longer in this  
11 position and you mentioned Vickie Cleveland holds  
12 this position now?

13 A Yes.

14 Q Vickie Cleveland, you said, does not  
15 report to you?

16 A That's correct.

17 Q Okay. And did Larry Winter express  
18 concern about the GNETS program manager position no  
19 longer reporting to you?

20 A He was either off the Board or on his way  
21 off the Board.

22 Q Did anyone else express concerns?

23 A They did not.

24 Q And you had Vickie Cleveland reporting to  
25 Nakeba, correct?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
127

1 A I believe that's the recommendation Nakeba  
2 made, so that's what we went with.

3 Q Did you evaluate Nakeba Rahming?

4 A Not formally.

5 Q Not formally.

6 When she was a GNETS program manager?

7 A I did not.

8 Q Did you -- what do you mean by not  
9 formally?

10 A She doesn't -- there's not a -- I didn't  
11 conduct a performance evaluation.

12 Q Who would she have received a performance  
13 evaluation from?

14 A I don't believe she received a performance  
15 evaluation.

16 Q Are performance evaluations necessary for  
17 bonuses or salary increases?

18 A We don't really get bonuses in the agency,  
19 and salary increases are usually dictated by a  
20 documented increase in workload or the Governor's  
21 Office provides state employees increases.

22 Q And did you formally evaluate her when she  
23 was deputy superintendent of Federal Programs?

24 A I did not.

25 Q So Nakeba Rahming did not receive formal

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
128

1 evaluations when she was with GaDOE?

2 A She did not.

3 Q Did you provide feedback to her?

4 A Yes.

5 Q Was there a set to that informal feedback,

6 a set schedule to that informal feedback or was it

7 --

8 A Ongoing coaching and feedback.

9 Q Do you meet with Vickie Cleveland in her  
10 role as GNETS program manager?

11 A I do not.

12 Q Have you?

13 A Not that I can recall a one-on-one meeting  
14 with Vickie Cleveland.

15 Q Do you recall meetings with you, Vickie,  
16 and Nakeba Rahming?

17 A Maybe one.

18 Q What was that meeting about?

19 A I think it was more of everyone meeting  
20 together because Nakeba had just taken on that role  
21 and Vickie was going to -- there was going to be the  
22 original structure, and then Vickie was new to the  
23 team. So I think it was more of a meeting everybody  
24 type of a situation versus -- because I had not  
25 known Vickie before, or really worked with her



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
129

1 before that.

2 So I think it was more orientation to me  
3 than it was for anything else.

4 Q Orientation, transition?

5 A Yes.

6 Q Were you involved in hiring Vickie  
7 Cleveland?

8 A No.

9 Q Did -- was a recommendation made to you  
10 before they offered the position?

11 A I believe so, yes.

12 Q Did you have any questions?

13 A I try not to get involved in that level.

14 Q And why is that?

15 A I tend to hold the direct reports  
16 accountable, and so I don't, I don't feel like it's  
17 fair for me to get involved in their specific  
18 personnel decisions when I'm holding them  
19 accountable for what they do.

20 And so they have the latitude to hire who  
21 they think is the best person with the expertise to  
22 do the work, and I don't get involved with that,  
23 that piece, very much.

24 Q Is there any policy at GaDOE about which  
25 employees do receive formal evaluations and those

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
130

1 that don't?

2 A Possibly.

3 Q Not that you can recall or --

4 A It wasn't a common practice when I got to  
5 this position.

6 Q Okay. As chief of staff, do you think  
7 that would be a policy you would be aware of?

8 A We have lots of policies, but, yes, I  
9 would -- I'm pretty sure there is one. I couldn't  
10 say I've looked at it very recently.

11 But it's like I didn't inherit a common  
12 practice of evaluating employees when I got into  
13 this position.

14 Q Thank you.

15 I'm going to show you an exhibit that was  
16 previously marked as Plaintiff's Exhibit 623.

17 (WHEREUPON, Plaintiff's Exhibit-623 was  
18 previously marked for identification.)

19 BY MS. TUCKER:

20 Q This is an email thread including you and  
21 Larry Winter and Mike Royal, that was produced to us  
22 by the State.

23 The subject reads: "GNETS."

24 And the most recent email in the thread is  
25 dated February 16, 2016.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
131

1           The Bates number on the bottom of the  
2     document is GA03465879.

3           Do you recognize this email?

4           A     I do.

5           Q     And this is approximately two months after  
6     the last email we just read, correct?

7           A     Yes.

8           Q     Am I correct that you and Larry Winter are  
9     still discussing the office location for the GNETS  
10    program manager?

11          A     Yes. Seemed to be really important for  
12    him.

13          Q     Do you see where Larry Winter writes,  
14    quote: "Personally, I think it will be/is important  
15    that the new GNETS person and Clara's offices not be  
16    in the special education area until all of this  
17    shakes out. I believe this will be important if we  
18    have to make a case later on."

19          Do you see that?

20          A     I do.

21          Q     Why was it important that the new GNETS  
22    person in Clara's offices not be in the special  
23    education area?

24          A     I do not know.

25          Q     Did you ask?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
132

1           A     I just read this and felt again like it  
2     was more a discussion around location of work versus  
3     anything else.

4           Q     I know earlier when we were looking at the  
5     org chart you had mentioned Larry Winter wanted  
6     GNETS separate in special education as well?

7           A     It was more -- I can recall that he wanted  
8     it to be a direct report.

9           Q     Okay.

10          A     I think the -- later on, when it was  
11     pulled out within Federal Programs, it was probably  
12     more Nakeba and the background she has on that  
13     change versus a request that came from Mr. Winter.

14          Q     Okay. And you didn't ask him why these  
15     offices shouldn't be in the special education area?

16          A     To me it was irrelevant. Again, it didn't  
17     matter where they were sitting.

18          Q     Got it. And then what did you understand  
19     Larry Winter to mean by "until all of this shakes  
20     out"?

21          A     I didn't really read anything into that or  
22     really cared what he thought on that regard.

23                     Again, this whole email is more a topic of  
24     where they would be sitting and nothing else, in my  
25     mind.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
133

1 Q What do you assume he meant by "all of  
2 this"?

3 MR. BELINFANTE: Object to form.

4 A I didn't do a very good job of answering  
5 Mr. Winter, so I won't try to do that now.

6 Q Were there any ongoing conversations that  
7 would provide some context between you and Larry  
8 Winter about what he meant?

9 A I really don't -- from my view, it didn't  
10 -- I didn't understand what he meant from it. But  
11 they're not educators, so you got to give them a  
12 pass sometimes when they are talking about a  
13 specific education issue and you're not -- they say  
14 something that might not make specific sense on  
15 something.

16 Q The State Board of Education members?

17 A Yes.

18 Q What did you understand Mr. Winter to mean  
19 when he said, "if we have to make a case later on"?

20 A Again, honestly, I probably stopped at  
21 Clara's office and just said, let's -- it doesn't  
22 really matter where they sit, and kind of moved on.  
23 I didn't really labor over this specific email or  
24 request because a request at the heart of it for me  
25 was the location of where the staff member was going

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
134

1 to be seated.

2 Q And -- okay.

3 Where did Nakeba Rahming end up sitting?

4 A I think we found her an office somewhere.  
5 She didn't really care where she sat either, and I  
6 didn't really care as well. So it just -- it was  
7 really kind of a nonissue at that point.

8 Q Was it in the Special Education area?

9 A I don't think there was an office on that  
10 floor. I think she -- I can't remember where she  
11 ended up sitting, actually.

12 I think it was an instance -- I didn't  
13 hear from Larry again after this, so I didn't really  
14 -- I didn't investigate where her chair was after  
15 that point. It just seemed it worked its way out.

16 Q So Mr. Winter is talking here about the  
17 importance of being able to make a case later on,  
18 and you're the chief of staff to the superintendent  
19 of GaDOE, and you did not attempt to discern what he  
20 meant?

21 MR. BELINFANTE: Object to form.

22 A I did not.

23 Q Okay. And how long did Nakeba Rahming  
24 hold the GNETS program manager position?

25 A Maybe a year or plus.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
135

1 Q And that's when she left to be deputy  
2 superintendent for Federal Programs?

3 A That's correct.

4 Q Did she apply for that job?

5 A I believe she did, yes.

6 MS. TUCKER: I'd like the court reporter  
7 to mark the following document as Plaintiff's  
8 Exhibit 825.

9 (WHEREUPON, Plaintiff's Exhibit-825 was  
10 marked for identification.)

11 BY MS. TUCKER:

12 Q Mr. Jones, this is a September 12, 2016  
13 email thread between you and Nakeba Rahming, that  
14 was produced to us by the State.

15 The subject reads: "GNETS Meetings."

16 The Bates number on the bottom of the  
17 document reads GA03472903.

18 Do you recognize this email thread?

19 A I do.

20 Q Okay. Let's take a look at the bottom  
21 email. Am I correct that you are asking Nakeba  
22 Rahming to set up a GNETS meeting with yourself,  
23 her, Zelfhine Smith-Dixon, and Deborah Gay?

24 A Yes.

25 Q And that you want her to lead those

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
136

1 meetings and focus on how you can support her  
2 efforts?

3 A That's correct.

4 Q What efforts are you referring to?

5 A Just her work around GNETS.

6 Q And how often were those meetings  
7 scheduled?

8 A I would assume monthly. That seems to be  
9 the typical default.

10 Q Do you recall those meetings?

11 A I remember we had meetings.

12 Q And who is Zelfphine Smith-Dixon?

13 A She was over Special Education at the  
14 time. She took Debbie's role when Debbie was moved  
15 to deputy superintendent.

16 Q Is Zelfphine Smith-Dixon still in that  
17 role?

18 A No, she's not.

19 Q Is she still with GaDOE?

20 A She works for Rockdale County schools.

21 Q And why did you identify these individuals  
22 as the folks to meet with?

23 A Nakeba had just mentioned to me about the  
24 importance of coordination specifically around these  
25 individuals, so I wanted to establish something on



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
137

1 the calendar to make sure that took place.

2 Q And why --

3 A And also that's why I wanted her to lead  
4 those meetings.

5 Q And did she express why these individuals  
6 were important?

7 A She did not. She just requested that I do  
8 that for her, and again it seemed like a simple  
9 request.

10 Q And then how else did you communicate with  
11 Nakeba Rahming?

12 A I would check in with her regularly just  
13 to see how things were going. And again more it was  
14 seeing if there were any barriers that I could help  
15 her remove within the agency, or promoting any  
16 connections she needed to make within the agency,  
17 too.

18 She was new to the agency, so I was just  
19 trying to help her out there.

20 Q From Florida, right?

21 A That's correct.

22 Q Did she identify barriers to you during  
23 any check-ins?

24 MR. BELINFANTE: Object to form.

25 A That wasn't her style, but she, she

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
138

1 definitely conveyed that there were areas that it  
2 was important to have a lot of collaboration, just  
3 to make sure that that took place. But it really  
4 didn't -- she had such a personality and passion and  
5 drive that really she made a lot of great  
6 relationships and could do that on her own. It took  
7 pretty minimal attention and supports from me to  
8 make that happen.

9 Q What areas did she convey that there was a  
10 need for collaboration?

11 A Be specifically, and then I would just say  
12 probably the more operational parts of the agency,  
13 like around contracts or finances and those types of  
14 things, just what's needed to do the work.

15 Q So operations, contracts, finances, and  
16 the Special Education Department?

17 A Yes, but she worked -- really, she worked  
18 across the agency with lots of different areas. She  
19 was -- that was a pretty natural thing for her to  
20 do.

21 Q Did you have one-on-one check-ins with  
22 Nakeba Rahming when she was GNETS program manager?

23 A I believe I did.

24 Q And those continued when she was deputy  
25 superintendent?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
139

1           A     But within that capacity, as deputy  
2     superintendent, yes.

3           Q     When she was deputy superintendent during  
4     your check-ins, did you ask about GNETS?

5           A     At that point, given her background  
6     already and knowledge of the program, it seemed like  
7     that was not a specific issue. It was more her  
8     acclimating to that new role and division for  
9     Federal Programs is a role and that was really the  
10    drive of the discussions given what was happening at  
11    the time.

12          Q     Did she report out about GNETS when she  
13    was deputy superintendent?

14          A     She might have shared some details. I  
15    don't remember, but, like I said, the real focus  
16    over our discussions were more the transitioning of  
17    the office overall and where she wanted to take  
18    things and when she needed to make that happen.

19          Q     Earlier you said you didn't formally  
20    evaluate Nakeba in this position, but were you  
21    pleased with her job performance?

22          A     Yes.

23          Q     Were there any areas that needed  
24    improvement?

25          A     I think everyone can improve, but it would

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
140

1 have been hard to find areas with her to improve.

2 She was an exceptional leader.

3 Q Did you provide any constructive feedback?

4 A I'm sure I did. But it probably took a  
5 little work on my end to find something to find,  
6 but, yes, I provided some feedback.

7 Q Anything related specifically to managing  
8 the GNETS program?

9 A No. It was more again navigating the  
10 agency, because that's really my skill set, and  
11 really trusting her on the programmatic side to  
12 execute things on that end.

13 Q I know we said that Vickie Cleveland now  
14 holds the position of GNETS program manager?

15 A That's correct.

16 Q Did anyone hold the position between  
17 Nakeba and Vickie?

18 A Not that I'm aware of.

19 Q And you mentioned that Vickie Cleveland  
20 does not directly report to you?

21 A That's correct.

22 Q And who does she report to?

23 A I believe Wina Low.

24 Q And who is Wina Low?

25 A She's over our Special Education Team.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

141

1 Q And then Wina Low reports to --

2 A To Shaun.

3 Q And this change happened, once Vickie  
4 Cleveland not reporting to you, happened the minute  
5 she was hired?

6 A I don't think Vickie ever reported to me,  
7 but when Nakeba filled her position, that's when the  
8 --

9 Q To clarify, the GNETS program manager not  
10 reporting to you happened as soon as Nakeba Rahming  
11 moved positions?

12 A That's correct.

13 Q Has the GNETS program manager role changed  
14 since Vickie Cleveland has become in that position?

15 A I'm not sure.

16 Q How many students are in the --  
17 approximately are in the GNETS program this year,  
18 meaning the 2022-23 school year?

19 A I believe a few thousand students. I'm  
20 not sure of the exact number.

21 Q By a few thousand, do you mean --

22 A Maybe two to three thousand.

23 Q Do you receive information concerning  
24 those figures?

25 A Very rarely.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
142

1 Q When would you?

2 A Maybe it's something they feel like I need  
3 to know. It's more an FYI or just sharing  
4 situation.

5 So if they cross my -- I mean it's  
6 typically shared through an email. If they feel  
7 like there's something I need to know, they pass  
8 along that way, for me to just kind of be aware of  
9 something.

10 Q And who would "they" be?

11 A My direct reports. So Shaun might share  
12 that with me.

13 Q Is the GNETS program population maintained  
14 in a database that you can access?

15 A Possibly -- probably so, I would assume.

16 Q Has the GNETS student population been  
17 relatively stable during your time as chief of  
18 staff?

19 A I believe it's decreased.

20 Q And why has the student population  
21 decreased in GNETS?

22 A I'm not sure what dynamics have led to  
23 that specifically.

24 Q Do you have any thoughts, ideas?

25 MR. BELINFANTE: Object to form.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
143

1           A     It's more, you know, LEA dynamics because  
2     we're not necessarily in the business of -- we more  
3     -- we count them as they're identified, not  
4     necessarily part of the identification process.

5           Q     With the population decreasing in GNETS,  
6     where do the students that were formally served by  
7     GNETS now receiving services?

8           A     I would assume in a different setting.

9           Q     And what type of setting?

10          A     I would assume with the IEP or whatever  
11     setting dictated that, whatever on the continuum of  
12     service is where that falls.

13          Q     What's your basis for that thought?

14          A     Just high level knowledge of how IEPs  
15     work.

16          Q     Do you think those students are receiving  
17     their services in their home schools?

18          A     Likely.

19          Q     What is your understanding of LRE, Mr.  
20     Jones?

21          A     Would does it stand for?

22          Q     Uh-hum.

23          A     What does it stand for? I'm asking to  
24     clarify.

25          Q     I wasn't sure.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

144

1 A Oh, least restrictive environment?

2 Q Yes. And what is your understanding of a  
3 least restrictive environment?

4 A Ensuring that students with disabilities  
5 receive an educated -- education in the least  
6 restrictive environment.

7 Q So for the students that once had their  
8 least restrictive environment in GNETS?

9 A As determined by IEP.

10 I'm sorry. I didn't add that part.

11 Q So for the students that once had their  
12 least restrictive environment in GNETS, those  
13 students are now receiving -- are now in their least  
14 restrictive environment in a GNETS setting?

15 A If the IEP determined that.

16 Q Has GaDOE provided guidance to the  
17 regional GNETS programs regarding student population  
18 size?

19 A Probably, but I can't think of anything  
20 specific around that issue that we provided.

21 Q Has GaDOE provided guidance to regional  
22 GNETS programs about reassessing their student  
23 populations?

24 A I believe so.

25 Q What type of guidance was that?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
145

1           A     I don't believe I saw the specifics of the  
2     guidance, but I believe there was some guidance put  
3     together.

4           Q     What is your general understanding of  
5     their guidance? I know you said you don't remember  
6     the specifics but --

7           A     Probably walking them through what that  
8     process would look like, with an IDEA.

9           Q     And how is this guidance provided to the  
10    GNETS, regional GNETS programs?

11          A     Probably in the form of technical  
12    assistance from our team.

13          Q     And by your team, you mean Vickie and  
14    Lakesha?

15          A     At this time, yes.

16          Q     And in the past?

17          A     It could have been Nakeba.

18          Q     Are you aware of GaDOE providing guidance  
19    related to eligibility criteria in GNETS?

20          A     Possibly that could be something we  
21    provided.

22          Q     Have you attended any of the technical  
23    assistance provided to the regional GNETS program?

24          A     I attended the one regional meeting, and  
25    then I joined Nakeba on two visits, and that's the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
146

1 extent.

2 Q What two visits did you join Nakeba with?

3 A I believe I went to a GNETS program that  
4 was in Swainsboro, and a GNETS program that was in  
5 Dublin.

6 Q Swainsboro and Dublin. And why did you  
7 attend those two?

8 A She was -- in her role, she was visiting  
9 all the GNETS programs, and I asked her to share her  
10 schedule with me. And as my schedule allowed, I was  
11 going to try to join her. So those were in the same  
12 day, and I was able to make that happen. So that's  
13 how those two were selected.

14 Q And why did you ask her to join?

15 A I just thought it was more -- I took her  
16 out to lunch between programs. I just wanted to  
17 make sure she felt supported and that I was there if  
18 she needed anything in that new role.

19 Q What did you think when you went to visit  
20 the Swainsboro -- the site in Swainsboro?

21 A I didn't really -- I was, I was kind of  
22 letting her do what she needed to do. So I spent  
23 that time catching up, since I had been on the road  
24 for quite a bit of time catching up on work. So  
25 they kind of found me a space and I was doing work

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

147

1 during that time.

2 And I did overhear some discussions but it  
3 was -- really what I picked up was more kind of is  
4 there anything you need from us, is there a way we  
5 can support you.

6 So it came off as very coaching and  
7 supportive, her interaction with the staff. And the  
8 same happened in Dublin. And that's something we  
9 discussed during the lunch, is just, you know -- I  
10 was grateful that was the approach she was taking,  
11 as just again the service and support piece, and  
12 that seemed to be kind of the tone of the discussion  
13 she was having with them, is what can we do to  
14 support your work and help what you're doing.

15 Q Did she provide any feedback to the sites  
16 she visited?

17 A Not to me directly, but I believe she  
18 provided feedback to them.

19 Q And in Dublin you also found a space to  
20 work?

21 A That's correct.

22 Q And you said you attended one meeting?

23 A Yes, one collaborative meeting that was  
24 held, I think, in Macon.

25 Q In Macon?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
148

1 A Yes.

2 Q And when was that?

3 A Um, it's on one of these.

4 My apologies.

5 Q That's okay.

6 A I can't find it. I'm sorry.

7 Q That's okay. What was that meeting in  
8 Macon about?

9 A Nakeba had set up some regional meetings,  
10 just to pull directors together and other related  
11 staff together. So she had asked me to attend that  
12 meeting.

13 Q Am I correct that --

14 A Oh, it was the one right in front of me.  
15 I apologize. It was in September 2016.

16 Q Thank you.

17 Which exhibit are you looking at?

18 A 825.

19 Q And am I correct GNETS students are served  
20 in centers and school-based locations?

21 A That's correct.

22 Q How many standalone centers are being used  
23 this school year?

24 A I know there's 24 -- I think 24 programs,  
25 but I'm not sure of the breakdown past that.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
149

1 Q Do you know the breakdown of students  
2 served in centers and students served in  
3 school-based locations?

4 A I do not.

5 Q Is this information that you could find?

6 A Yes.

7 Q And how would you find it?

8 A Probably request it from Shaun.

9 Q Are you aware of any trends surrounding  
10 students being served in centers or school-based  
11 locations?

12 A No, I haven't.

13 Q Do you require Shaun to check this  
14 information?

15 A I do not.

16 Q Have you asked Shaun for information like  
17 this in the last three years?

18 A With a breakdown like that? Not that I  
19 can recall, but I'm sure she probably has provided  
20 some high-level information.

21 Q Do students in centers have opportunities  
22 to interact with their nondisabled peers?

23 MR. PICO PRATS: Object to form.

24 A Haven't been part of the day-to-day  
25 operations of a center outside of that -- my

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
150

1 substitute teaching experience. So I don't know if  
2 I can really answer that.

3 Q When you substituted at the Cedarwood  
4 regional GNETS program, did those students have the  
5 opportunity to interact with their nondisabled  
6 peers?

7 A We had some students go to the high school  
8 and participate in programs and activities at that  
9 time.

10 Q They went to the high school for classes  
11 or for -- for what?

12 A I can remember one situation was a -- for  
13 like a CTAE class or two a student was taking. And  
14 another one I know -- I can't remember the guy on  
15 there but I know he tried out for the football team.  
16 He was very interested in football. So I remember  
17 him telling us about that experience. So I know he  
18 tried out for the team.

19 Q So those are two instances, right?

20 A Yes. Out of a class of eight. Six or  
21 eight.

22 Q Did the students in school-based locations  
23 have opportunities to interact with their  
24 nondisabled peers?

25 MR. BELINFANTE: Object to form.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
151

1 A From what I've experienced, yes.

2 Q And then can you elaborate on from what  
3 you've experienced? What school based GNETS  
4 experiences have you had?

5 A Oh, I thought you were just talking in a  
6 general ed environment. I didn't know you meant --

7 Q I'm sorry. I meant the GNETS. I  
8 apologize?

9 A No, I have not experienced in that model.

10 Q Does GaDOE provide guidance to the  
11 regional GNETS programs for opportunities for the  
12 GNETS students to interact with their nondisabled  
13 peers?

14 MR. BELINFANTE: Object.

15 A I'm not sure about that.

16 Q Does GaDOE request any related data from  
17 the regional GNETS programs about opportunities for  
18 students, GNETS students to interact with their  
19 nondisabled peers?

20 A I'm not sure what specific data elements  
21 is collected by us.

22 Q Does GaDOE track how many students are in  
23 GNETS for six daily segments?

24 A Possibly with the funding, but I'm not  
25 sure the mechanism behind that. So it could be used

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
152

1 to generate the funding for GNETS but I'm not sure  
2 what it is.

3 Q Is that data you've seen before?

4 A I've seen segments of students and  
5 funding, but I'm not sure if that was specific GNETS  
6 students or just students overall.

7 Q With Cedarwood you mentioned two instances  
8 of high schoolers having the opportunity to go to  
9 the high school, correct?

10 A Yes.

11 Q What about the elementary and middle  
12 school students?

13 A I touched on those during that experience,  
14 but I was primarily with the high school students  
15 during that time. So I had some experience in the  
16 other grades, but I would say 90 percent of my time  
17 was for the high schoolers at the program.

18 Q At Cedarwood?

19 A Yes.

20 Q From your experience, did the elementary  
21 and middle school students have opportunities to  
22 interact with their nondisabled peers?

23 MR. BELINFANTE: Object to form.

24 A I didn't really have a viewpoint on that.

25 Q So not from what you saw?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
153

1 A Not from what I saw.

2 Q Do you review any data related to academic  
3 outcomes for the GNETS program?

4 A Yes, I believe so.

5 Q What data have you reviewed related to  
6 academic outcomes?

7 A I believe just what was in the performance  
8 audit report.

9 Q The 2010 audit?

10 A That's correct.

11 Q You haven't seen data related to GNETS  
12 academic outcomes since 2010?

13 A Possibly but I don't know the specific  
14 data elements that cross my desk.

15 Q And that was since the 2010 audit.

16 Have you reviewed milestones data for the  
17 GNETS program?

18 A I think the performance audit at CRCT, it  
19 was the whole test that we used. So I'm not sure.  
20 Again, that could have been a data element that's  
21 been shared with me but I don't remember  
22 specifically milestones data shared with me.

23 Q Does anyone at GaDOE review milestones  
24 data for the GNETS program?

25 A Possibly Vickie does. But I think they --

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
154

1 there was more value in the formative data than the  
2 summative data. It seemed like when Nakeba came on  
3 board, she was interested in formative data.

4 Q What did Nakeba tell you about the  
5 formative data?

6 A Just that growth was an important  
7 component versus specifically proficiency.

8 Q Did she identify growth in the GNETS  
9 program?

10 A She was working towards doing that. I'm  
11 not sure the progress she made on that end, but I  
12 know that's something she had brought up to me.

13 Q So it was a goal of Nakeba's to improve  
14 the growth of academic --

15 A Of individual student growth. Where they  
16 were academically in one place at the year versus  
17 another place of the year.

18 Q Was this data that she shared with you?

19 A I think one time very high level. I think  
20 she was just implementing it at that time. So I  
21 don't really remember if I saw multiple data points  
22 versus just the initial data point.

23 Q Do you think that milestones data is  
24 important to assess for GNETS students?

25 MR. BELINFANTE: Object to form.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
155

1 A I, I think for all students' growth it's  
2 more important than what we currently assess.

3 Q Are you familiar with iReady?

4 A I am.

5 Q Have you reviewed iReady data for the  
6 GNETS program?

7 A I believe that's what the initial high  
8 level data she shared with me was.

9 Q Have you since then?

10 A Not that I can recall.

11 Q Have you reviewed post-secondary data  
12 outcomes? Outcomes data?

13 A Not that I can recall.

14 Q Do you think it would be helpful to see  
15 post-secondary outcomes of the GNETS students?

16 A I think multiple data points are always  
17 helpful, but I also think you've got to have the  
18 context of students, and then also drill down  
19 individually to them, are they growing academically  
20 or not, versus just an aggregate set of data.

21 Q But do you think post-secondary outcomes  
22 would be an important data point?

23 A I think it's a data point to look at.

24 Q What were the formative assessments used  
25 that you were referring to?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
156

1 A I believe it was the iReady assessment.

2 Q The iReady?

3 A Yes.

4 Q How is academic outcome data for the GNETS  
5 programs reviewed since the students are reported  
6 through their school districts?

7 MR. BELINFANTE: Object to form.

8 A I'm not sure of the mechanics of that.

9 Q With the audit you said you saw, was it  
10 the CRCT data?

11 A That's correct.

12 Q And what other academic data?

13 A I believe graduation rates was the other  
14 one.

15 Q And what do the graduation rates look like  
16 in the 2010 audit for the GNETS students?

17 A I believe the report mentioned they were  
18 low, but I also -- when I looked at it, I felt like  
19 there was some significant context missing from what  
20 the auditors put together.

21 Q What's that context?

22 A I think they looked at students with  
23 disabilities as a whole subgroup versus the spectrum  
24 of students, their individual disabilities and where  
25 they are on that continuum of service, and making a

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
157

1 correlation with that versus just looking at a  
2 student subgroup versus a similar student subgroup.

3 Q So grouping all GNETS students together --

4 A And comparing them to students with  
5 disabilities when there's a spectrum of disability.

6 So they were, they were comparing a  
7 subgroup that had a full spectrum of disability  
8 versus another subgroup that might be -- leans  
9 heavier on a certain side of the spectrum.

10 So I didn't think it was necessarily  
11 apples to apples comparison in graduation rates.

12 Q The GNETS program --

13 A And I didn't know if it was a four-year  
14 calculation versus what IDEA allows, which is up to  
15 22, depending on an IEP. So I didn't know how the  
16 graduation rate was being calculated either.

17 Q The GNETS program, when we spoke about it  
18 earlier, you said it primarily serves EBD students;  
19 is that correct?

20 A That's my knowledge, yes. The best of my  
21 knowledge.

22 Q So a moment ago you were talking about the  
23 spectrum of disabilities of these students. Would  
24 it not mostly be EBD students?

25 A That are identified for --

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
158

1 Q Uh-hum.

2 A -- students with disabilities?

3 Q Uh-hum.

4 A Not necessarily. In GNETS, yes. But I  
5 was talking about compared to -- compared to -- I  
6 think the performance audit was making the State  
7 level student with disabilities subgroup, which  
8 would have a wide spectrum of students with  
9 disabilities, versus the GNETS special -- or  
10 students with disabilities subgroup, which would  
11 have mostly EBD students.

12 Q So you are saying that the audit looked at  
13 all students with disabilities in Georgia?

14 A Yes.

15 MS. TUCKER: I'd like the court reporter  
16 to mark the following document as Plaintiff's  
17 Exhibit 826.

18 (WHEREUPON, Plaintiff's Exhibit-826 was  
19 marked for identification.)

20 BY MS. TUCKER:

21 Q This is a June 23rd, 2016 email produced  
22 by the State.

23 The email is from Nakeba Rahming to you,  
24 with the subject "No rush on documents to discuss."

25 There are two attachments.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
159

1                   The Bates number on the bottom of the  
2                   first page reads GA03468 to 51 Oi.

3                   Do you recognize this email?

4           A       Yes.

5           Q       Let's look to the first sentence. Do you  
6                   see where Nakeba Rahming wrote, quote: "I gathered  
7                   more information on the ratios for the clinical  
8                   staff to students in GNETS programs"?

9                   Do you see that?

10          A       I do.

11          Q       Did you ask Nakeba Rahming to collect this  
12                   information?

13          A       I believe that's information she thought  
14                   it was important on her own and she collected it.

15          Q       So you did not ask her?

16          A       No, I did not.

17          Q       Did she express why she thought it was  
18                   important?

19          A       I think she was looking at therapeutic  
20                   support services.

21          Q       Let's look to the middle paragraph. Do  
22                   you see the sentence that reads, quote: "The  
23                   attachment has a review of 3 therapeutic programs  
24                   outside of Georgia, the makeup of their clinical  
25                   staff to serve their enrolled students."

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
160

1 Do you see that?

2 A I see that.

3 Q Did you ask Nakeba Rahming to review the  
4 therapeutic programs outside of Georgia?

5 A I did not.

6 Q In that second paragraph, let's look to  
7 the last sentence.

8 Do you see where she wrote, quote:

9 "However, it is concerning when some 'GNETS," and  
10 then it -- I think there's a word missing but then  
11 it goes to "1 or no clinical/behavioral staff to  
12 provide expected services to students."

13 Do you see that?

14 A I do.

15 Q Did Nakeba Rahming talk to you about this  
16 concern?

17 A Yes, she did.

18 Q And it was the concern that some regional  
19 GNETS programs had one or no clinical or behavioral  
20 staff?

21 A She mentioned that, but I also remember  
22 her -- she reached out to some of the GNETS programs  
23 and some of them were offering contracted services  
24 versus staff -- specific staff members. So there  
25 was some context to this initial data that she



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
161

1 pulled.

2 Q Can you elaborate?

3 A They might, you know -- they might have an  
4 occupational therapist that's not on staff but they  
5 contract with a company or a service that provides  
6 occupational therapy.

7 Q Okay. We're going to look at the first  
8 attachment, which should be the next page and the  
9 Bates number starts GA03468052. The heading on the  
10 top reads "Reviews for clinical staff within a  
11 therapeutic setting to serve students."

12 Do you see that?

13 A Yes.

14 Q Do you recognize this document as well?

15 A Yes.

16 Q And this was prepared by Nakeba Rahming?

17 A That is correct.

18 Q Let's look at the first paragraph.

19 Do you see where it reads, quote: "In an  
20 effort to validate the decisions around GNETS  
21 provision of therapeutic services for students, a  
22 comprehensive review of other identified therapeutic  
23 schools were researched."

24 Do you see that?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
162

1 Q She continues: "These schools were  
2 researched to identify the staff needed to ensure  
3 opportunities for therapeutic supports would be  
4 provided for children as expected."

5 Do you see that?

6 A I do.

7 Q Did you discuss with Nakeba the schools  
8 she identified and how she selected them?

9 A I believe she called me or we had a brief  
10 discussion about this, and it was more high level  
11 about she ran the data, looked at the ratios. As we  
12 talked, we talked about contracted services. So she  
13 was going to go back and get more information about  
14 that.

15 I also think she talked about possibly  
16 some additional money from the Department to support  
17 increasing therapeutic services in the program.

18 So she had already come up with kind of  
19 some next steps on how to address this versus us  
20 diving into individual programs and the make-up.

21 Q Did she follow up with you with the  
22 contracted services data?

23 A She mentioned in passing that that was  
24 something that was happening in the program.

25 Q In all the programs?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
163

1 A She didn't go into specifics. She just  
2 said it was something that was occurring.

3 Q Okay. And you said that she was looking  
4 to get increased funding for the regional GNETS  
5 programs from GaDOE?

6 A Possibly a grant or some other source to  
7 provide some therapeutic services, specific supports  
8 around therapeutic services.

9 Q Did that happen?

10 A I believe it did.

11 Q Is it still happening?

12 A I'm not sure.

13 Q Let's look to the paragraph at the top and  
14 the last sentence. It reads: "Based on this  
15 comparison, it was determined whether or not  
16 identified GNETS programs were staffed to provide  
17 therapeutic/behavioral services to students with  
18 significant Emotional/Behavioral needs like other  
19 therapeutic programs."

20 Do you recall whether Nakeba Rahming  
21 determined if these GNETS programs were  
22 appropriately staffed after she received the  
23 contracted information?

24 A I think the focus was more on enhancement  
25 versus judgment of where specific programs were at

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
164

1 the time.

2 Q We're going to look at the next  
3 attachment, which will be shown to you  
4 electronically on the screen. And we're going to  
5 make sure you can get control.

6 Do you see it?

7 A Yes.

8 Q Do you want to try the mouse to see if  
9 you're able to move around.

10 It seems like you are, right?

11 A Yes.

12 Q I'll let you look at that spreadsheet for  
13 a minute.

14 Do you recognize it?

15 (Witness reviews exhibit.)

16 A I believe I glanced at this. Yes, I've  
17 seen it.

18 Q And was this spreadsheet created by Nakeba  
19 Rahming?

20 A I believe so.

21 Q Can you look to Column Y titled, "All  
22 Clinical Staff"?

23 A Yes.

24 Q Do you see that the Cedarwood Regional  
25 GNETS program has zero clinical staff?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
165

1 A I see that's what's on there, yes.

2 Q And the Northwest Regional GNETS program  
3 had zero clinical staff?

4 A Yes.

5 Q The Rutland Academy Regional GNETS program  
6 had one therapy coach?

7 A Yes.

8 Q The Sand Hills Regional GNETS program had  
9 one social worker?

10 A Yes.

11 Q Was this data surprising?

12 A Yes, it was surprising. I think that's  
13 what spurred the discussion around contracted  
14 services.

15 Q Was it also concerning?

16 A She labeled it as concerning and very  
17 concerning, so.

18 Q Did you share those concerns?

19 A I think, again, we definitely wanted to  
20 make sure that all programs were offering  
21 therapeutic services.

22 Q Do you know if that's currently happening?

23 A I believe it is happening in some, some  
24 method, whether that's specific personnel or  
25 contracted services.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
166

1 Q If you scroll down to the bottom again,  
2 where there was a paragraph. Let me know when you  
3 get there.

4 I see, okay. Great.

5 Do you see where Nakeba Rahming wrote:  
6 "Compared to other therapeutic models, many of the  
7 GNETS programs are operating below the expected  
8 student clinical staff ratio for therapeutic  
9 services. Some of the programs are therefore  
10 challenged in providing the recommended amount of  
11 therapeutic supports to facilitate optimal  
12 turnaround in student's behaviors."

13 A Yes, I see it.

14 Q Did that finding concern you?

15 A I didn't know what model she had compared  
16 the programs to. I likely didn't even zero in on  
17 that specific paragraph on this. I probably -- I  
18 remember opening it and glancing at the specific  
19 programs and what she had highlighted for further  
20 discussion. I don't remember getting to the very  
21 bottom of the spreadsheet and diving into the things  
22 that were added.

23 Q This was attached with, you know, with  
24 that email with the program review. Do you think  
25 she was referring to those programs maybe?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
167

1 A I'm not sure.

2 Q And you didn't ask follow-up questions at  
3 that point?

4 A I did not.

5 Q Let's look down a paragraph on the  
6 spreadsheet.

7 Do you see where Nakeba Rahming wrote,  
8 quote: "Digging deeper, some of the expected  
9 clinical services are being provided by  
10 noncredentialed personnel trained by GNETS and are  
11 credentialed in another without formal training or  
12 certification to deliver counseling services."

13 Did you read that?

14 A I just -- I just read it now, yes.

15 Q Did this finding concern you?

16 A This finding wasn't something I saw at the  
17 time that she sent, sent this to me. It was in the  
18 attachment but, like I said, I kind of saw that  
19 section more as like footnotes to explain what was  
20 above and I didn't really dive into the footnotes.  
21 I dived into the data and what she had highlighted  
22 for me at the top.

23 Q Did you have meetings with her following  
24 this submission where you asked questions?

25 A Essentially, she had already kind of

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
168

1 produced a next step, which again was getting  
2 context around -- context around contracted services  
3 and looking at funding streams we could provide to  
4 shore that up in the program.

5 Q Did you raise any of these concerns from  
6 Nakeba to the superintendent?

7 A I did not.

8 Q To the State Board?

9 A They -- it might have been shared with  
10 them. I don't know what discussions we were having  
11 between other staff members and the State Board.

12 Q Would GaDOE proactively share information  
13 like this with the State Board of Education, without  
14 being asked?

15 A Not necessarily. Limited information  
16 shared with me, so that's limited information that  
17 would even be shared with them.

18 Like I said, the dynamics at the time was  
19 they could also call specific people up and get more  
20 detailed information, and I'm not sure what those  
21 discussions were.

22 Q Earlier you said that you believe that  
23 therapeutic services are provided in all GNETS  
24 programs? Is that correct?

25 A I believe so, yes.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
169

1 Q And what is the basis for your belief?

2 A That it should be provided in GNETS  
3 programs.

4 Q Your basis is it should be, so you think  
5 that it's happening?

6 A Yes.

7 Q Have you followed up to ask anyone?

8 A I have not heard anything from our staff  
9 members to say anything different from that  
10 expectation.

11 Q Have you expressed that expectation to any  
12 of your staff members?

13 A I would say that's probably a shared  
14 expectation with myself and the staff, staff  
15 members.

16 Q And that's an assumption?

17 A Yes.

18 Q Okay. I'll show you another exhibit.

19 MS. TUCKER: What time is it?

20 (Discussion ensued off the record.)

21 MS. TUCKER: Let's do just a few more  
22 pages and then we'll stop.

23 Q Is that okay?

24 A Yes, that's fine.

25 MS. GARDNER: I'd like the court reporter

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
170

1 to mark the following document as Plaintiff's  
2 Exhibit 827.

3 (WHEREUPON, Plaintiff's Exhibit-827 was  
4 marked for identification.)

5 BY MS. TUCKER:

6 Q Mr. Jones, this is an email thread  
7 including you, Vickie Cleveland, Ted Beck, and  
8 Rachel Spates, that was produced by the State.

9 The subject reads: "Listening session  
10 tomorrow."

11 The most recent email in the thread is  
12 dated April 30, 2019.

13 The Bates number on the bottom of the  
14 first page reads GA03522299.

15 Mr. Jones, do recognize this email thread?

16 A Yes.

17 Q Who is Ted Beck?

18 A He was the chief financial officer at the  
19 time.

20 Q And does he still hold that role?

21 A He does not.

22 Q Let's look to the bottom email, which is  
23 on the third page, the bottom email in the thread.

24 A Okay. Yes.

25 Q Okay. Who is Rachel Spates? She's

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
171

1 emailing you.

2 A She's the director of one of the RESAs.

3 Q Which RESA?

4 A West Georgia RESA.

5 Q Is she still in that position?

6 A She has since retired.

7 Q And when -- do you know when that  
8 happened, her retirement?

9 A A few years ago but I'm not sure of the  
10 specific time.

11 Q And she's emailing you about a listening  
12 session?

13 A I believe one that they're holding the  
14 next day, yes.

15 Q And what was this listening session about?

16 A It could have been around the Board rule  
17 but I'm not sure of the nature of the listening  
18 session. I didn't participate in this.

19 Q About the Board rule, do you mean the  
20 GNETS State Board Rule?

21 A That's correct.

22 Q And you did not -- you attended?

23 A I did not attend any of this.

24 Q Have you attended any listening sessions  
25 with RESAs?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
172

1 A Just that one collaborative meeting.

2 Q Rachel Spates said she anticipated  
3 questions about GNETS funding would be raised. Do  
4 you see that?

5 A Yes.

6 Q And you said you did not attend this, so  
7 you don't know, were there questions raised?

8 A I'm not sure what was raised.

9 Q Okay. Did Rachel Spates reach out to you  
10 about other GNETS questions?

11 A Possibly but this is the only one that I  
12 remember.

13 Q Did you get back to Rachel Spates?

14 A I believe I just forwarded on to our --  
15 certain people in the agency, so they would beware  
16 that it could pop up at the session.

17 Q Can you look to the bottom email on the  
18 second page?

19 A Yes.

20 Q From you to Vickie and Ted, April 29th, at  
21 8:57 a.m.

22 A Yes, I see that now.

23 Q Were you asking them for a high level  
24 update regarding GNETS funding?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
173

1 Q You were asking that independent of  
2 Rachel's email if you didn't attend the listening  
3 session?

4 A I guess I probably assumed it was an issue  
5 that was coming up, so I was trying to get somewhat  
6 up to speed on the issue. So asking them for  
7 information just in case I heard it again from  
8 someone.

9 Q So not to prepare for the listening  
10 session?

11 A That's correct.

12 Q Have other RESA employees reached out to  
13 you with GNETS questions?

14 A I can think of one other off the top of my  
15 head.

16 Q And who is that?

17 A Greg Jacobs for Okefenokee RESA.

18 Q Okefenokee?

19 A Yes.

20 Q What was his question about?

21 A Just around GNETS funding. I think it had  
22 to do during the austerity cuts that all programs  
23 were getting.

24 Q Around COVID?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
174

1 Q Let's look at the email from you that is  
2 on -- it starts on the first page but continues to  
3 the second page.

4 Do you see where you wrote, quote: "I do,  
5 however, think a core set of therapeutic and  
6 academic services should be provided at every GNETS  
7 with core funding allocated by the State --  
8 enrollment would build additional funding for  
9 additional services on top of that. I know that  
10 isn't necessarily the current model but I think it  
11 is more of the ideal."

12 Do you see that?

13 A Yes.

14 Q Why did you describe this model as ideal?

15 A I was just sharing my personal opinions on  
16 the funding model.

17 Q And what do you think is ideal about this  
18 funding model?

19 A I think any model, just not this one, but  
20 even if you took a traditional school district,  
21 small rural district, it takes a core amount of  
22 money to operate. It doesn't necessarily peg to the  
23 size of the school.

24 So I think you're going to have to have a  
25 base amount of money to function as a program or a

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
175

1 school district or a school. Just a reality of  
2 basic operations, not dependent on how many students  
3 you have. There are certain functions that you have  
4 to provide no matter how many students are in a  
5 program or a school.

6 I would advocate for a similar model for  
7 rural districts, too, small rural districts.

8 Q Do you still share this as a model you  
9 would advocate for the GNETS program?

10 A I'm not really in a position to write new  
11 formulas for the State, but personally this would be  
12 one that I think I would be supportive of.

13 Q Did you share this model with anyone else  
14 in addition to Vickie Cleveland and Ted Beck?

15 A I don't believe -- I think it was just  
16 shared with people on the thread. Possibly Shaun  
17 Owen at some point or whoever was the deputy. I  
18 think Shaun at this point -- or possibly Nakeba. So  
19 I'm not sure the time frame. But I'm sure I shared  
20 it with the deputy, too.

21 Q Did you share this with anyone outside of  
22 GaDOE?

23 A Not that I can recall.

24 Q Did you share these thoughts with the  
25 State legislature?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
176

1 A No.

2 Q How about the Governor's Office?

3 A No, I did not.

4 Q Look at the top email, Vickie Cleveland's  
5 response to you on April 30, 2019.

6 Do you see where she wrote, quote: "GaDOE  
7 does provide the following core supports through  
8 contracts"? And then she lists some instructional  
9 supports and therapeutic supports.

10 Do you see that?

11 A I do.

12 Q Are these the current instructional  
13 supports provided by GaDOE that benefit the GNETS  
14 program?

15 A I'm not sure the current list but I'm sure  
16 some still are in place.

17 Q Do you know if GaDOE provides  
18 instructional supports to the GNETS programs?

19 A I believe so.

20 Q And what about therapeutic supports?

21 A I believe so.

22 MS. TUCKER: I think this would be a good  
23 time to break for lunch.

24 Q Does that work for you?

25 A Yes, it does.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

177

1 THE VIDEOGRAPHER: Off the record at 12:50  
2 p.m.

3 (A luncheon recess was taken.)

4 THE VIDEOGRAPHER: We're back on the  
5 record at 1:35 p.m.

6 BY MS. TUCKER:

7 Q Welcome back, Mr. Jones.

8 I'm going to show you an exhibit that was  
9 previously introduced as Plaintiff's Exhibit 380.

10 (WHEREUPON, Plaintiff's Exhibit-380 was  
11 previously marked for identification.)

12 BY MS. TUCKER:

13 Q This was a document produced to us by the  
14 State.

15 I'm going to ask you to turn to the third  
16 page of the exhibit with Bates No. GA00346120.

17 This is a two-page handout titled,  
18 "Georgia Network for Therapeutic Supports," and the  
19 GaDOE logo is on the bottom left corner.

20 Do you see it?

21 A I do.

22 Q Do you recognize this handout?

23 A Yes, it looks familiar.

24 Q Did you review it?

25 A I don't think I did.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
178

1 Q Who created the document?

2 A I would assume Vickie Cleveland created  
3 it.

4 Q And then would I be correct that the top  
5 box provides an overview of the GNETS program and  
6 states that the regional programs, quote: "Provide  
7 comprehensive educational and therapeutic support  
8 services to students who might otherwise require  
9 residential or more -- "or other more restrictive  
10 placements due to the severity of one or more of the  
11 characteristics of the disability category of  
12 emotional and behavioral disorders (EBD)."

13 Do you see that?

14 A I do.

15 Q Are you aware of any study that has  
16 assessed the impact of GNETS services on the need  
17 for residential or more restrictive placements for  
18 students in Georgia?

19 A Not that I'm aware of.

20 Q Does GaDOE collect any data that reflects  
21 the impact of GNETS services on the need for  
22 residential or more restrictive placements for  
23 students in Georgia?

24 A Not that I'm aware of.

25 Q Would you beware if GaDOE did collect that

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
179

1 information?

2 A Could you restate that?

3 Q As chief of staff, would you be aware if  
4 GaDOE collected that type of information?

5 A Not necessarily. That's not information  
6 I've seen.

7 Q Do you know if any other state agency  
8 provides -- requests that data?

9 A Possibly around residential treatment  
10 facilities, but I'm not sure. Both of them, looking  
11 at both the data within GNETS and residential  
12 treatment facilities.

13 Q What agency are you referring to that  
14 could potentially look at it?

15 A Possibly DBHDD. I'm not sure what agency  
16 that falls under.

17 Q But that's not data that you're familiar  
18 with?

19 A That's correct.

20 Q Do you know the basis of that statement  
21 then?

22 A Yes. As stated, I know the basis of the  
23 statement, yes.

24 Q So what is the basis for the explanation  
25 that GNETS serves students that might otherwise

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
180

1 require residential or more restrictive placements?

2 A That they were being served by GNETS, so  
3 it's like the same students could be placed in a  
4 residential treatment facility.

5 Q I understand, but a moment ago you said  
6 you're not aware of any data to support that. So  
7 what supports the basis of that statement?

8 A I guess we -- I'm not sure.

9 MS. GARDNER: I'd like the court reporter  
10 to mark the following document as Plaintiff's  
11 Exhibit 828.

12 (WHEREUPON, Plaintiff's Exhibit-828 was  
13 marked for identification.)

14 BY MS. TUCKER:

15 Q This is a July 11, 2016 email from Nakeba  
16 Rahming to you, that was produced to us by the  
17 State.

18 The subject reads: "GNETS Exit Strategy,"  
19 and there's one attachment.

20 The Bates number on the bottom of the  
21 first page of the document reads GA03468602.

22 Mr. Jones, do you recognize this email?

23 A I do.

24 Q Nakeba Rahming is speaking about an exit  
25 strategy plan for GNETS and LEAs, correct?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

181

1 A Yes.

2 Q What is meant by an exit strategy plan for  
3 GNETS and LEAs?

4 A It seems like the facilities that surround  
5 the facilities.

6 Q And what facilities?

7 A Specifically, facilities that house the  
8 GNETS programs.

9 Q What prompted this development of an exit  
10 strategy plan?

11 A I believe there was some discussions from  
12 the Board around concerns about some of the state of  
13 the facilities.

14 Q Did you ask her to develop this plan?

15 A I believe she developed it based on those  
16 concerns that the Board members had.

17 Q Were you a part of any conversations with  
18 the Board where they were expressing their concerns?

19 A Yes.

20 Q What -- can you elaborate on their  
21 concerns?

22 A Just that some of their personal opinions  
23 were that the facilities had some issues that needed  
24 to be addressed to the extent of even closing the  
25 facilities.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
182

1 Q And we're speaking about GNETS facilities?

2 A That's correct.

3 Q What did you respond to the Board when you  
4 heard their concerns?

5 A I believe we advocated for a third party  
6 to go in there and assess all the facilities to kind  
7 of match opinion with fact.

8 Q Let's turn to the attachment, so it's the  
9 next page.

10 On the top it reads "Overview of GNETS  
11 facilities for identifying priority sites and exit  
12 strategy."

13 Do you see that?

14 A Yes.

15 Q Do you recognize this document?

16 A Yes.

17 Q Did you ask Nakeba Rahming to create this  
18 document?

19 A She likely created it once it was decided  
20 what to do with the facilities.

21 Q And who made the decision of what to do?

22 A The State Board.

23 Q And this speaks to priority sites,  
24 correct?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
183

1 Q What are priority sites?

2 A My assumption is how they were ranked on  
3 that third party assessment.

4 Q And who did the third party assessment?

5 A I can't remember the firm but an  
6 architectural firm did the assessment.

7 Q Did you review the firm's assessments?

8 A Yes.

9 Q And together you identified priority  
10 sites, or did the firm put forth priority sites?

11 A I believe they had some recommendations,  
12 and then our facilities team reviewed those  
13 recommendations and decided on a priority --

14 Q Did you --

15 A -- list.

16 Q Did GaDOE adopt their recommendations in  
17 full?

18 A I think we shared that with the Board.  
19 Yes, I believe the Board agreed.

20 Q So let's look at the top paragraph. It  
21 says: "This document provides a strategy for  
22 supporting Schools, LEAs, and GNETS, when the  
23 leadership team at GaDOE determines that a facility  
24 should no longer be considered as a site to support  
25 instructional and therapeutic needs of students."

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
184

1 Do you see that?

2 A I do.

3 Q And then so if a site met that criteria,  
4 was it a priority site?

5 A Yes, the same site.

6 Q Did you all provide guidance to the  
7 architectural team about what they were to look for?

8 MR. BELINFANTE: Object to the form.

9 A I'm not sure what type of guidance was  
10 provided to them.

11 Q You said that there were conversations  
12 with your facilities team within GaDOE?

13 A That's correct.

14 Q Who's on that?

15 A At the time I believe it was Mike Rowland  
16 was the facilities point person.

17 Q Do you recall the criteria to determine  
18 that the site would no longer support instructional  
19 and therapeutic needs for students?

20 A No. He worked -- their team worked  
21 directly with the firm to established that.

22 Q Looking at this document, am I correct  
23 that this exit strategy was in two phases?

24 A Yes.

25 Q Okay. Let's look at the first phase.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
185

1 In the first bullet, it reads: "GaDOE  
2 facilities department conducted facilities  
3 assessment of all GNETS sites."

4 So that was done by GaDOE?

5 A I believe so.

6 Q Did you attend any of those?

7 A I did not.

8 Q Did Nakeba Rahming?

9 A I'm not sure.

10 Q Would she have reported that to you at  
11 that time?

12 A I don't believe she would have.

13 Q Let's look at the second bullet. This  
14 assessment addressed "outstanding issues that  
15 required immediate attention and also verified nine  
16 sites that may no longer be suitable/conducive to  
17 support instructional and therapeutic needs of  
18 students."

19 Do you see that?

20 A Yes, I do.

21 Q Were you involved in any conversation  
22 around these nine sites?

23 A Just that they were the priority sites  
24 based on the assessment of our team and the  
25 contractor.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
186

1 Q Were you shown any photos?

2 A Yes. There were quite a few photos. They  
3 walked us through an all-day meeting where we looked  
4 at every single facility. To be honest, it started  
5 kind of blending together because it was probably an  
6 eight- or 10-hour day. So...

7 Q And who attended that meeting with you?

8 A I was in and out of that meeting. I  
9 believe Nakeba was in that meeting. I think  
10 possibly Stacey was in that meeting, and then our  
11 members of our facilities team was in that meeting  
12 as well.

13 Q And that would be Mike Rowland?

14 A Yes.

15 Q The photos that you saw, did you find them  
16 concerning?

17 A Yes. I saw, yeah, definitely some issues  
18 that needed to be addressed.

19 Q What did you see?

20 A Quite a wide range of just general upkeep  
21 that needed to happen versus regular maintenance  
22 that didn't seem to have been occurring, to more  
23 substantial structural issues that needed to be  
24 suggest -- or addressed.

25 Q Let's look at the second phase on the next

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
187

1 page.

2 It reads: "Phase II: GNETS Facilities  
3 Exit Strategy."

4 Do you see that?

5 A Yes.

6 Q Looking at what was identified, is this  
7 consistent with what occurred?

8 A Yes, it seems to be.

9 Q It is?

10 A Yes.

11 Q Let's look under the header "What will be  
12 the message and how will it be delivered?"

13 Do you see that?

14 A Yes.

15 Q Looking at the second bullet, it reads,  
16 quote: "GaDOE verified the conditions of the  
17 priority sites and worked with the -- "or worked  
18 with GSFIC to contract with an external contractor  
19 to validate/invalidate the GaDOE findings."

20 Do you see that?

21 A I do.

22 Q What is GSFIC?

23 A They're a state entity that handles  
24 facility projects for state properties or other  
25 entities.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
188

1 Q And then working with the external  
2 contractor, would that be the architecture firm?

3 A Yes.

4 Q Okay. And then to invalidate -- or  
5 validate/invalidate GaDOE findings, are those --  
6 what are those?

7 A I believe that the facilities team did an  
8 initial review, and then this was to provide a more  
9 independent review of the facilities.

10 Q Looking down to the fourth bullet, do you  
11 see that it reads: "Therefore, GaDOE will issue a  
12 mandatory exit plan for all students receiving  
13 services in any of the nine priority sites."

14 A Yes.

15 Q And did you work on the exit plan?

16 A I believe the team worked on the exit  
17 plan, our facilities team, and Nakeba worked on the  
18 exit plan.

19 Q Did you approve it?

20 A I reviewed it but I didn't formally  
21 approve it, but they did execute.

22 Q But you reviewed it. Did you provide  
23 feedback?

24 A I don't think I provided any additional  
25 feedback than what was shared with me.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
189

1 Q Did you ask any questions?

2 A I likely did but I can't recall specific  
3 questions.

4 MS. TUCKER: I'd like the court reporter  
5 to mark the following document as Plaintiff's  
6 Exhibit 829.

7 (WHEREUPON, Plaintiff's Exhibit-829 was  
8 marked for identification.)

9 BY MS. TUCKER:

10 Q This is a July 19th, 2016 email produced  
11 by the State.

12 It's from Nakeba Rahming to you, with the  
13 subject "Message Script and PPT."

14 There are two attachments, and the Bates  
15 number on the first page of this document is  
16 GA03468710.

17 Do you recognize this email?

18 A I do.

19 Q And PPT in the subject refers to  
20 PowerPoint?

21 A Yes.

22 Q Let's turn to the first attachment, which  
23 has the Bates No. GA03468711.

24 And this is the PowerPoint.

25 Do you see it?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
190

1 A Yes.

2 Q The PowerPoint, do you recognize it?

3 A I do.

4 Q And the first -- the title page reads  
5 "GNETS Facilities Online Meeting"?

6 A Yes.

7 Q Who created this PowerPoint?

8 A I believe Nakeba pulled this PowerPoint  
9 together.

10 Q Did you ask her to?

11 A I think it was part of the plan once the  
12 decision was made around facilities to pull together  
13 a meeting like this, and I think she created the  
14 PowerPoint from there.

15 Q Did you review it in advance of the  
16 meeting?

17 A I did, but I remember it being extremely  
18 tight turnaround.

19 Q Looking at the Slide 2 with the title  
20 "GNETS Facilities Online Meeting," your name is  
21 right under the title.

22 Did you lead the meeting?

23 A I believe I opened the meeting.

24 Q Did you join the meeting in its entirety?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

191

1 Q Who lid the rest of the meeting?

2 A I believe different staff members during  
3 different sections.

4 Q And who was included in that?

5 A Possibly our facilities team, Mike, and  
6 possibly Nakeba.

7 Q And who attended this meeting?

8 A I believe it was with the people who were  
9 impacted with the nine sites that were identified.

10 Q So --

11 A So LEAs or fiscal agents that were...

12 Q Did the regional GNETS programs attend the  
13 meeting?

14 A Yes, I believe so.

15 Q So let's look to the fourth slide. Let me  
16 know when you're there.

17 A I'm there.

18 Q Am I correct that this represents findings  
19 from DOJ's finding letter related to the GNETS  
20 program?

21 A Yes.

22 Q Let's go to Slide 5. See where it writes:  
23 "The GNETS facilities have undergone a three-part  
24 assessment"?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
192

1 Q The first one reads: "A Program  
2 Evaluation by the Office of Planning and Budget."

3 Do you see that?

4 A Yes.

5 Q Is that within GaDOE or the Governor's  
6 Office?

7 A I believe they meant the Department of  
8 Audits. I think that's that program evaluation that  
9 was done in 2010.

10 Q Got it. Are you aware of any evaluation  
11 by the Office of Planning and Budget?

12 A No, not outside of the one that was  
13 performed by the audits, the Department of Audits.

14 Q And then two would be the Facilities  
15 Condition Assessment by the GaDOE regional  
16 facilities team?

17 A Yes.

18 Q That's the one led by Mike Rowland?

19 A That's correct.

20 Q And the Facilities Condition Assessments  
21 by the architectural team?

22 A That's correct.

23 Q Were you part of the selection of this  
24 architectural team?

25 A No.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
193

1 Q Looking at Slide 7, when you're there.

2 A Yes.

3 Q Okay. It reads, quote: "Nine out of the  
4 multiple sites will need to relocate students  
5 immediately." And then in parentheses "before the  
6 beginning of school." End parentheses, end quote.

7 Do you see that?

8 A I do.

9 Q Who made this decision?

10 A The State Board.

11 Q Were you part of conversations with the  
12 State Board about this decision?

13 A Very limited conversations.

14 Q What do you mean by that?

15 A It was essentially a directive. They had  
16 decided it.

17 Q Were you there when they made the  
18 decision?

19 A I was there when it was communicated, not  
20 necessarily the back and -- the discussions that  
21 they had on their end.

22 Q Did you ask follow-up questions?

23 A We expressed that it would be more ideal  
24 to close out the school year just to limit  
25 disruptions to students.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
194

1 Q So this was before the 2016-17 school  
2 year. So just to make sure I understand, were you  
3 saying to continue having these facilities open  
4 during the 2016-17 school year and then closing out  
5 the next year?

6 A Yes. I think it was in the -- let me see  
7 the date.

8 Yes, it was just to be the start at the  
9 school year.

10 Q Right.

11 A So I think we were trying not to disrupt  
12 the start of the school year. So I think it wasn't  
13 -- my apologies.

14 Not to finish out the school year but at  
15 least get through the first semester to minimize the  
16 impact on students because a lot of schools were  
17 just about to start within the next few weeks.

18 Q And what did the State Board say back to  
19 your proposal?

20 A They wanted to move forward with the  
21 current plan to shut -- relocate the students  
22 immediately.

23 Q Did they provide any additional context on  
24 the immediacy?

25 A No.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
195

1 Q Do you see where it reads on the same  
2 slide: "We are here to support you with this  
3 timeline"?

4 A Yes.

5 Q Who is "we"?

6 A The Department of Education.

7 Q And who is "you"?

8 A The districts served, GNETS directors, and  
9 other entities that are impacted.

10 Q Let's look at the next slide that starts  
11 with "Steps Forward."

12 Do you see No. 2, quote: "Transition  
13 students out of these sites prior to the opening of  
14 the school -- "opening of school per State Board of  
15 Education policy decision."

16 A Yes.

17 Q This is the decision you were just  
18 referring to?

19 A That's correct.

20 Q Do you know, was this policy decision made  
21 through a vote?

22 A Not that I'm aware of.

23 Q How would it have been made?

24 A I believe it was communicated by the chair  
25 of the Board.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
196

1 Q And who was the chair at that time?

2 A Mike Royal.

3 Q Did you have conversations with Mike  
4 Royal, or did you have conversations with the Board  
5 in full?

6 A Primarily Mike Royal.

7 Q Who else?

8 A On this issue.

9 Q And who else?

10 A Mostly Mike Royal.

11 Q No. 3 reads: "Review IEPs for the  
12 impacted students to determine student services and  
13 determine if the services can be delivered in the  
14 least restrictive environment."

15 Do you see that?

16 A Yes.

17 Q And this was requested of the regional  
18 GNETS programs?

19 A I'm not sure the request, how it was made.

20 Q Or who it was to?

21 A Right.

22 Q Let's go to the next page.

23 No. 4 reads: "Contact GaDOE regional  
24 facility staff if you require support with locating  
25 alternate sites."

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
197

1 Do you see that?

2 A Yes.

3 Q Did GaDOE regional facilities staff raise  
4 these requests to you?

5 A No, they did not.

6 Q Are you aware of any requests? Or any  
7 context?

8 A Just related to this issue or moving --

9 Q Yeah, on No. 4.

10 A Okay. No, not around locating alternative  
11 sites.

12 Q How about No. 6, "Contact GaDOE facilities  
13 department to approve relocation to another stand  
14 alone facility"?

15 A I know they were made, but I don't know  
16 the details of what that would look like.

17 Q Let's look at the second attachment. It  
18 has GA03468712 on the bottom.

19 Do you see it?

20 A Yes.

21 Q Do you recognize this document as well?

22 A Yes.

23 Q And this is -- these are the notes that  
24 accompanied this PowerPoint?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
198

1 Q Let's look to the second page under  
2 closing remarks.

3 Do you see the first line that reads "we  
4 appreciate the work of the GNETS programs and other  
5 state agencies on this effort."

6 A Yes.

7 Q And that's something that you said,  
8 correct?

9 A Yes.

10 Q What other state agencies assisted with  
11 this effort?

12 A The GSIC.

13 Q And were there any others?

14 A Not to my knowledge.

15 Q And it's your sentence, so is that what  
16 you meant?

17 A Yes. Uh-hum.

18 Q And then how did the GNETS programs  
19 participate in this effort?

20 A I think it was more just appreciating all  
21 the work that they've done in totality, not specific  
22 to the facilities issue, but overall.

23 Q What type of reactions did you receive  
24 after this presentation?

25 A You can imagine, a lot of questions, some

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

199

1 confusion. Those were the initial reactions, but a  
2 lot of that was immediately filtered to our team,  
3 the facilities team, because that was kind of the  
4 point of contact we were left with at the end of the  
5 presentation.

6 MS. TUCKER: I'd like the court reporter  
7 to mark the following document as Plaintiff's  
8 Exhibit 830.

9 (WHEREUPON, Plaintiff's Exhibit-830 was  
10 marked for identification.)

11 BY MS. TUCKER:

12 Q This is a July 22nd, 2016 email produced  
13 by the State.

14 It's from you to Nakeba Rahming, with the  
15 subject "Ltr State Board re 9 GNETS Facilities."

16 There's one attachment, and the Bates  
17 number on the first page reads GA03468848.

18 Do you recognize this email?

19 A Yes.

20 Q It reads that you updated the FAQs and  
21 they needed to be sent out, correct?

22 A That's correct.

23 Q And who were they being sent to?

24 A The people who are impacted by the  
25 facilities decision.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
200

1 Q So would that be the regional GNETS  
2 programs?

3 A Yes.

4 Q And the LEAs?

5 A Yes.

6 Q Anyone else?

7 A Fiscal agents if they don't fall into  
8 those two categories.

9 Q Let's look to the attachment that you  
10 updated.

11 Do you recognize it?

12 A Yes.

13 Q And this was the document that you  
14 updated?

15 A I can't recall the specific updates. It  
16 looks like it was probably created by someone else,  
17 and I might have reviewed it and provided some edits  
18 to it.

19 Q Let's look at the first Q&A, asking if  
20 there's negotiable room on the timeline for moving  
21 facilities.

22 And the answer refers to the State Board  
23 of Education considering this an urgent matter. Do  
24 you see that?

25 A That's correct, yes.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
201

1 Q Did the State Board of Education review  
2 this Q&A before it went out?

3 A I'm not sure if they did. I know there  
4 was probably discussions around that specific kind  
5 of statement or stance from the State Board.

6 Q If they did review it, would you have been  
7 the one to send it to them after your review?

8 A Possibly.

9 Q Looking at the last question on this page,  
10 it says, "The list is included below."

11 Do you see that?

12 A Yes.

13 Q Earlier we were speaking about nine sites,  
14 and I only see seven here. Do you agree?

15 A I do. I agree.

16 Q What happened with the other two sites?

17 A I'm not sure.

18 Q Do you know if all nine sites closed?

19 A I don't believe all nine closed.

20 Q Do you think it was seven?

21 A Probably.

22 Q Potentially, the seven that are listed  
23 here?

24 A Possibly.

25 Q Do you know why the other sites didn't

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
202

1 close?

2 A I know there was -- I think it's Dougherty  
3 County had developed a plan to address the concerns  
4 that were initially flagged for their sites, and  
5 that satisfied our facilities team, but more  
6 importantly the Board.

7 Q Did you review Dougherty County's  
8 proposal?

9 A I received copies but I didn't feel like  
10 it was my thing to approve. It was the Board's  
11 decision, so it was the Board that needed to review  
12 it and make that decision themselves.

13 MS. TUCKER: I'd like the court reporter  
14 to mark this document as Plaintiff's Exhibit  
15 831.

16 (WHEREUPON, Plaintiff's Exhibit-831 was  
17 marked for identification.)

18 BY MS. TUCKER:

19 Q This is a July 29th, 2016 email thread  
20 between you and Nakeba Rahming. The email thread  
21 was produced to us by the State.

22 The subject reads: "FAQ for Facilities,"  
23 and there's an attachment.

24 The Bates number on the bottom of the  
25 first page reads GA03469366.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
203

1 Do you recognize this email?

2 A Yes.

3 Q Let's look at the attachment that starts  
4 on the next page.

5 A Okay.

6 Q GA03469367.

7 Do you recognize the attachment?

8 A Yes.

9 Q Who was this document created by?

10 A It appears Mike Rowland likely created the  
11 document.

12 Q And you were reviewing it for approval?

13 A Probably review more than approval. It  
14 was more of a -- probably a heads-up versus  
15 approving the content of it.

16 Q Did you update it?

17 A Not to my knowledge.

18 Q Let's look at the first Q&A. Am I correct  
19 that there was a 12 million dollar bond  
20 authorization that was included in the fiscal year  
21 '16 budget to assist with GNETS facilities  
22 improvements?

23 A Yes.

24 Q Was this to assist the closure of the  
25 GNETS priority sites?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
204

1 A I don't believe so.

2 Q What was it for?

3 A For the other sites.

4 Q Other regional GNETS program sites?

5 A That's correct.

6 Q All of them or certain ones?

7 A I think there was -- yeah, there was an  
8 application process. I'm not sure if all of them  
9 received. I think it was based on identified needs  
10 and other -- and their plans that they submitted.

11 Q And then you just mentioned application  
12 process?

13 A Yes.

14 Q Who developed the application process?

15 A The facilities team would probable, with  
16 probably input from Nakeba as well.

17 Q Did you also provide input?

18 A I don't believe so.

19 Q Were you part of any decisions about who  
20 was granted the funds?

21 A No. They decided that.

22 Q Who's "they"?

23 A The facilities team and Nakeba.

24 Q Did the State Board participate in this?

25 A On the approval of that, but not -- to my

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
205

1 knowledge, they weren't involved in the  
2 identification or allocation to specific sites.

3 Q Since the closure of priority sites, have  
4 other GNETS sites been closed?

5 A Not to my knowledge.

6 Q Would you be made aware?

7 A Not necessarily.

8 Q What instances would you think you would  
9 be, when you would be made aware?

10 A If there was a timing issue, like  
11 middle-of-the-year-type circumstance without a  
12 transition plan, or some emergency happened at a  
13 facility or something like that.

14 Q Earlier today you mentioned visiting two  
15 GNETS sites?

16 A That's correct.

17 Q Were those the last GNETS sites you  
18 visited?

19 A Yes.

20 Q And when was that again?

21 A It was pretty early on when Nakeba took on  
22 the role. I can't remember. Probably '16 possibly,  
23 2016.

24 Q Have you been asked to visit any GNETS  
25 sites since?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
206

1 A No, not directly.

2 Q Have you been indirectly asked?

3 A No, I don't think so.

4 MS. TUCKER: I'd like the court reporter  
5 to mark the following document as Plaintiff's  
6 Exhibit 832.

7 (WHEREUPON, Plaintiff's Exhibit-832 was  
8 marked for identification.)

9 BY MS. TUCKER:

10 Q This is a March 28, 2017 email from Nakeba  
11 Rahming to you that was produced by the State.

12 The exhibit reads: "Systemic  
13 Reintegration Planning Form," and there is one  
14 attachment.

15 The bottom of the first page of the  
16 document reads GA03479096.

17 Do you recognize this email?

18 A Yes.

19 Q What is systemic reintegration?

20 A I think it's a process of students being  
21 served in a GNETS site transitioning to a program  
22 that LEA directly manages.

23 Q And what is the basis for that  
24 understanding?

25 A Just some information from what I'm seeing

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
207

1 and other information I've gathered over the years.

2 Q Do you see where Nakeba writes in the  
3 email: "Stacey and I worked on finalizing the  
4 document for LEAs that may consider opting out of  
5 GNETS services."

6 Do you see that?

7 A Yes.

8 Q Did you ask Nakeba Rahming to create this  
9 document?

10 A I did not.

11 Q Do you know who did?

12 A No, I'm not sure.

13 Q Would it have been the State Board?

14 A Could have been the State Board.

15 Q Were there LEAs opting out of GNETS?

16 A I wouldn't -- I wouldn't have used GNETS  
17 services. I would have said GNETS sites instead of  
18 services, because I didn't see it as them opting out  
19 of GNETS services but where those services were  
20 being delivered.

21 Q I see. Have any LEAs opted out of GNETS  
22 services in full during your time as chief of staff?

23 A To my -- to my knowledge, no. I think  
24 they're delivering therapeutic services in a  
25 different model, but I would say it's still under a

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
208

1 GNETS therapeutic model.

2 Q So different model but still GNETS?

3 A I would view it that way personally.

4 Q Would it still -- you're viewing it that  
5 way personally, but do you think they're called  
6 GNETS programs?

7 A I'm not sure how they would label it  
8 locally.

9 Q Are there any LEAs that you're thinking of  
10 specifically that use this other model?

11 A No. My view is GNETS is supposed to be  
12 providing intensive therapeutic services. So I  
13 think that can happen in a variety of settings. So  
14 if students were getting those services at a site  
15 versus coming back to an LEA, to me that's still a  
16 GNETS model, even though the LEA might not call it  
17 GNETS.

18 Q So are you saying that any offering of  
19 intensive therapeutic services in Georgia public  
20 schools is GNETS even if it's outside the GNETS  
21 program?

22 A If the --

23 MR. BELINFANTE: Object to the form.

24 A If it was in the same vein as what they  
25 were being delivered in their IEP at the GNETS



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
209

1 sites, as long as the same services are being  
2 delivered elsewhere, I would see it as similar.

3 Q Let's look at this attachment.

4 The Bates number on the bottom is  
5 GA03479097.

6 The top of the document has the GaDOE logo  
7 and it's titled, "Local Education Agency Systemic  
8 Reintegration Planning."

9 Do you recognize the attachment?

10 A Yes.

11 Q Did you provide input on this attachment?

12 A It was shared with me, of course, but, no,  
13 I did not provide feedback on this attachment.

14 Q Looking at Pages 2 and 3, it seems there  
15 was a need for a systemic reintegration plan that  
16 would be submitted to GaDOE?

17 A Yes.

18 Q This was submitted to the GaDOE's -- or it  
19 says to the state GNETS director. Would that be the  
20 GNETS program manager?

21 A That's correct.

22 Q So this was Nakeba Rahming or Vickie  
23 Cleveland?

24 A Yes. Nakeba at the time.

25 Q And then again at the top of Page 1 it

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
210

1 reads, on the first steps, "The purpose of this  
2 document is to provide an overview of key indicators  
3 that should be considered when LEAs plan to opt out  
4 of receiving GNETS services and reintegrate all of  
5 their students into their home districts."

6 Do you see that?

7 A I do.

8 Q Do you still believe systemic  
9 reintegration refers to sites and not services?

10 A Well, actually, it's the services, not the  
11 sites is what I'm saying. That it didn't matter  
12 where they were receiving the services, whether they  
13 were stand-alone sites or going back to the  
14 district.

15 Q It was all GNETS?

16 A They're intensive therapeutic services.

17 Q If intensive therapeutic services are  
18 provided in -- at a general education school, in a  
19 general education setting, is that funded through  
20 the QBE on the GNETS formula?

21 MR. BELINFANTE: Object to the form.

22 A Could you restate that?

23 Q Yeah.

24 A Or -- yes, restate it, please.

25 Q Sure. So I believe you were saying that

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

211

1 if intensive therapeutic services are offered, even  
2 if it's not under GNETS program, you still consider  
3 it GNETS services? You were saying that earlier,  
4 correct?

5 A Yes.

6 Q So would those services still be funded  
7 through the GNETS formula, if it's outside of a  
8 GNETS program?

9 A If they are at an LEA as part of their FTE  
10 enrollment, then there could be another funding  
11 stream, state funding stream.

12 Q Through the QBE formula?

13 A Yes.

14 Q And not the GNETS formula?

15 A That's correct.

16 Q Does the GNETS program manager review the  
17 therapeutic services provided in the general  
18 education environment outside of the GNETS program?

19 A Not to my knowledge.

20 Q So does the GNETS program manager review  
21 all intensive therapeutic services throughout all of  
22 Georgia schools?

23 A No, I don't believe that occurs.

24 Q Let's go back to the Georgia State Board  
25 of Education. You said there were -- was it 14

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
212

1 individuals?

2 A Yes.

3 Q And how is the State Board of Education  
4 organized?

5 A There is a Board member for each  
6 congressional district. They serve seven-year terms  
7 and they are appointed by the Governor.

8 Q Are there committees?

9 A Yes.

10 Q How many?

11 A They have changed quite a bit from year to  
12 year.

13 Q How many right now?

14 A Five committees.

15 Q And how is committee membership decided?

16 A By the chair.

17 Q Do members sit on more than one committee?

18 A It's possible. It's at the chair's  
19 discretion.

20 Q Do you have certain points of contact for  
21 each committee?

22 A It's changed -- that has changed over the  
23 years as well.

24 Q Whether you have points of contact?

25 A Who the points of contact are.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
213

1 Q But you have always had points of contact  
2 on each committee that was available?

3 A In some instances it was just the chair,  
4 and in other instances it could be the chair and  
5 vice chair of the specific committees themselves.

6 Q How regularly do they meet?

7 A Monthly. Typically monthly for two days.

8 Q Do you attend those meetings?

9 A Yes.

10 Q All day?

11 A Most of the day.

12 Q Who else attends from GaDOE?

13 A Other cabinet level staff, and in the past  
14 quite a few program specialists and managers. So  
15 people that were lower in the organizational  
16 structure attended this.

17 Q Who makes up cabinet level staff?

18 A Direct reports.

19 Q Your direct reports?

20 A That's correct.

21 Q Does the superintendent attend?

22 A Yes, he attends.

23 Q In advance of those meetings, do you have  
24 to prepare presentations?

25 A Occasionally, yes. Sometimes the requests

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
214

1 come in the moment. Other times we have some notice  
2 on preparing presentations.

3 Q Is an agenda set in advance?

4 A Yes. A week in advance, at least.

5 Q By the State Board?

6 A We pull together an agenda but of course  
7 it's at the Board's discretion, so they are allowed  
8 to add additional items to the agenda.

9 Q Has GNETS been on the agenda in the last  
10 year?

11 A Yes, there could have been Board items  
12 related to the program, like therapeutic services or  
13 other like contracts and things like that, but  
14 nothing that I can recall past that, those part of  
15 the committees.

16 Q And what in this past year related to  
17 therapeutic services in GNETS was discussed?

18 A Just a Board item to contracted services.  
19 I believe there was a Board item for funding,  
20 additional funding for GNETS for therapeutic  
21 services.

22 Q Did that pass?

23 A I believe so.

24 Q Are there certain Board members that have  
25 communicated with you more than others about the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
215

1 GNETS program over your time as chief of staff?

2 A Yes.

3 Q And were they all in the same committee?

4 A I would say that they were part of the  
5 Board leadership.

6 Q And who are they?

7 A Mr. Larry Winter and Mr. Mike Royal.

8 Q Anyone else?

9 A Those were the predominant Board members.

10 Q I apologize. I know we said Larry Winter  
11 is no longer on the Board. Is Mike Royal?

12 A Yes.

13 Q Have you communicated with Mike Royal in  
14 the last year about the GNETS program?

15 A I have not.

16 Q The last two years?

17 A I don't believe so.

18 Q Have you communicated with any Board  
19 member about the GNETS program in the last year?

20 A Nothing outside of the items that I  
21 mentioned.

22 Q The additional money for therapeutic  
23 supports?

24 A Yes. And possibly the hiring of the  
25 person that reports to Vickie. I can't remember her

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
216

1 name.

2 Q Lakesha Stevenson?

3 A Lakesha, yes.

4 Q Have you spoken with Board members about  
5 the finding for GNETS in the last year?

6 A No.

7 Q In the last three years?

8 A Possibly.

9 Q What was discussed?

10 A Probably there was a discussion during the  
11 austerity reductions.

12 Q In 2020?

13 A Yes.

14 Q And was there a discussion about GNETS  
15 funding in general at that time?

16 A It was a part of a larger discussion, just  
17 about our agency's budget.

18 Q Have you spoken with Board members about  
19 the future of the GNETS program?

20 A I would say yes. Yes.

21 Q And what was discussed?

22 A Just -- I'm trying to think of the details  
23 of the discussion, but I'm sure they had brought up  
24 the outlook of the program.

25 Those conversations have typically just



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
217

1 been around ensuring the students get the best  
2 education possible. Like I said, they're not  
3 necessarily educators. They come from a variety of  
4 backgrounds. So it's typically very high level  
5 discussion, not granular discussions.

6 Q You said the outlook of the program. So  
7 what have they expressed about the outlook of the  
8 program?

9 A Just their personal opinion about the need  
10 to have the program and the service that it provides  
11 to students.

12 Q And what have they said?

13 A Just they felt like for students it  
14 provides a critical need for them and for their  
15 families.

16 Q And who from the Board has expressed this?

17 A The two that I mentioned, I've heard from  
18 them. And probably Ms. Helen Rice and Ms. Lisa  
19 Kennemoore.

20 Q And of those who are still on the Board  
21 besides Mike Royal?

22 A Ms. Lisa Kennemoore and Ms. Helen Rice.

23 Q Okay. Have you spoken with the Board  
24 members you just identified about this lawsuit?

25 A I've been part of the discussions around

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
218

1 the lawsuit, but I haven't led any of the  
2 discussions or initiated conversation about the  
3 lawsuit itself.

4 Q Who's led the discussions that you've been  
5 a part?

6 A Usually it's done as executive session  
7 discussion and usually it's our general counsel or  
8 our main counsel to the case.

9 Q What does executive session mean?

10 A Usually we take up personnel issues and  
11 legal issues in executive session. So it's a  
12 nonpublic meeting, but we discuss those issues.

13 Q And who attends those meetings?

14 A The Board members, of course. The  
15 superintendent, and myself, and Stacey.

16 Q Have you attended any of the State Board  
17 of Education committee meetings?

18 A Yes.

19 Q Set committees or all of them?

20 A Set committees. It kind of just depends  
21 on what type of items are coming up to the Board.  
22 Also, there was time where the Board had concurrent  
23 committee meetings, so you had to kind of choose  
24 which one to be at. And there were times they were  
25 all spread out and you could attend. So there were

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
219

1 kind of dynamics on what was possible to attend or  
2 not attend.

3 Q Are there committee meetings held outside  
4 the two-day monthly meeting?

5 A There's an annual Board retreat that's  
6 held outside, but, no. It's typically those two  
7 meeting -- or two-day meetings once a month.

8 Q If you had a question related to the GNETS  
9 program --

10 MS. TUCKER: Scratch that.

11 BY MS. TUCKER:

12 Q What type of questions related to the  
13 GNETS program would you raise to the Board?

14 MR. BELINFANTE: Object to the form.

15 A I can't think of any that I would raise to  
16 the Board.

17 Q Have you raised any in the last five  
18 years?

19 A Not within the -- no. The only questions  
20 I can think of specifically was around the  
21 facilities, and it was more timing. That was the  
22 questioning that I had. That's the last question I  
23 can think that was directly to the Board.

24 Q What about any concerns related to GNETS  
25 program, have you raised any of those to the Board,

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
220

1 your concerns?

2 A No, none that I can think of, besides the  
3 budget -- it was part of the budget discussion. So  
4 there was that concern raised then.

5 Q Earlier you said the State Board has  
6 reached out to GaDOE with questions related to  
7 GNETS, correct?

8 A Yes. They've done that, yes.

9 Q And what type of questions?

10 A Generally, I wouldn't necessarily have a  
11 line of sight to that because, again, they were used  
12 to going directly to the program specialists or  
13 managers to get answers to questions that they had.

14 Q So meaning Nakeba?

15 A Or Mike or other members of their team.

16 Q Are there any that come to mind that you  
17 were sent?

18 A No, none that I can think of.

19 MS. GARDNER: I'd like the court reporter  
20 to mark the following document as Plaintiff's  
21 Exhibit 833.

22 (WHEREUPON, Plaintiff's Exhibit-833 was  
23 marked for identification.)

24 BY MS. TUCKER:

25 Q This is a May 22nd, 2017 email from you to

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
221

1 Barbara Hampton and Larry Winter, that was produced  
2 to us by the State.

3 The subject reads: Teaching and  
4 Learning," and there's one attachment.

5 The Bates number on the bottom of the  
6 first page is GA03481153.

7 Do you recognize this email?

8 A I do.

9 Q We've spoken about Larry Winter and Mike  
10 Royal, and Barbara Hampton was another State Board  
11 member?

12 A Yes.

13 Q Is she still on the Board?

14 A She is not.

15 Q Do you see where you wrote "Attached is  
16 the rationale for the most recent organizational  
17 restructuring"?

18 A Yes.

19 Q Can you provide more context on why you  
20 were sending this rationale to the State Board?

21 A Yes. They specifically had some issues  
22 with the restructuring of the organization.

23 Q How were those concerns expressed to you?

24 A Pretty adamantly.

25 Q Was it during a meeting? Were there phone

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
222

1 calls?

2 A I believe there were probably a mixture of  
3 meeting and phone calls.

4 Q What were their concerns?

5 A Just that they felt like they should  
6 approve any organizational change directly.

7 Q And GaDOE was moving forward without such  
8 approval?

9 A That's correct.

10 Q What type of organizational change were  
11 you all moving forward with?

12 A Just those outlined in the -- in this  
13 letter to the Board members. So just certain pieces  
14 of the agencies pulled out as direct reports and  
15 other pieces like that.

16 Q Did they want further discussion on all  
17 the changes?

18 A They wanted approval on all the changes.

19 Q Did they ultimately get approval on all  
20 the changes?

21 A No, they did not.

22 Q So looking at the attachment, your letter,  
23 why did you write the letter?

24 A To just lay out a rationale that was  
25 operational based and not personality based on the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
223

1 direction we were going in.

2 Q Let's look at the first paragraph.

3 Do you see where you wrote, quote: "As  
4 Chief of Staff for the Georgia Department of  
5 Education, I do not see my role as micromanager, but  
6 as a guide and goal setter. My responsibility is to  
7 communicate the vision, mission, and priorities of  
8 the agency, leverage relationships and break down  
9 barriers in meeting those priorities, and ensure an  
10 effective and efficient organization."

11 A Sounds pretty good, huh?

12 Q Do you stand by your statement?

13 A It sounds so good I have to stand by it.

14 Q Do you --

15 A I do.

16 Q Let's look to the bottom paragraph on the  
17 first page. Do you see where you wrote: "At the  
18 request of the State Board and agreement of the  
19 Superintendent, the GNETS Director became a direct  
20 report to the Chief of Staff."

21 A Yes.

22 Q And is this the request from Larry Winter  
23 we discussed earlier?

24 A That's right. And I was documenting that  
25 it came from the Board and the superintendent

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
224

1 agreed, but it ultimately came from the Board, that  
2 request.

3 Q And this refers to an earlier  
4 organizational change, nothing related to 2017,  
5 correct?

6 A I believe there had been an organizational  
7 change that had just taken place.

8 Q Okay.

9 A And that spurred some dissension, and then  
10 that's what led to this.

11 Q And this was an example of a way that you  
12 have agreed to the Board in the past that you were  
13 including?

14 A Yes. A little sugar with the vinegar.  
15 Honey with the vinegar.

16 Q I understand.

17 Let's look to Page 3 of the letter. The  
18 Bates on the bottom is GA03481156.

19 Looking at that, I'd be correct there have  
20 been disagreements between you and the State Board  
21 of Education?

22 A Yes.

23 Q And I understand this letter is related to  
24 organizational changes. What were the reasons for  
25 other disagreements?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
225

1 A Just the role of the Board versus the role  
2 of the superintendent.

3 Q Do they -- does the State Board want more  
4 of an approval --

5 A They were used to running the agency.

6 Q Prior to Superintendent Woods?

7 A That's correct.

8 Q Are these concerns still current?

9 A Not to this degree. There's been a lot of  
10 improvement.

11 Q How did the State Board respond to your  
12 letter?

13 A I'm still around.

14 MR. BELINFANTE: Object to the form.

15 A So -- I'm still around.

16 Q Did --

17 A They appreciated it being put into writing  
18 and me explaining our position.

19 Q So your letter was to Barbara and Larry?

20 A Yes.

21 Q Did Barbara and Larry and you have a  
22 meeting after this?

23 A I believe they mentioned it in passing,  
24 but there was nothing -- there was no formal  
25 follow-up from this from them.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
226

1 Q Was there a reply email?

2 A Possibly. Possibly. I'm not sure. I  
3 don't remember anything significantly done with it,  
4 from their end.

5 Q After this letter, did they back down on  
6 the request for approving the organizational change?

7 A I would say no.

8 Q No, they did not?

9 So they did not?

10 A They did not.

11 Q Earlier you mentioned the State Board  
12 GNETS Rule?

13 A Yes.

14 Q And what is the purpose of that rule?

15 A Just lay out expectations and parameters  
16 for the GNETS program from the State.

17 Q And this rule was approved by the State  
18 Board of Education?

19 A That is correct.

20 Q And who's required to follow the GNETS  
21 State Board Rule?

22 A LEAs.

23 Q Do the regional GNETS programs have to  
24 follow it?

25 A Yes, they would.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
227

1 Q Does GaDOE?

2 A There's a -- I believe roles and  
3 responsibilities for ourselves in there. So, yes,  
4 those we have to follow, but I think the intention  
5 is more for LEAs.

6 Q And has the GNETS State Board Rule changed  
7 over time?

8 A Yes.

9 Q When was the last change?

10 A I believe around '16 or '17.

11 Q Any other changes during your time as  
12 chief of staff to the State Board Rule?

13 A No, not to that State Board Rule.

14 Q What led to the GNETS State Board Rule  
15 being revised in 2017?

16 A I believe the Board expressed interest in  
17 it being looked at.

18 Q How did they express interest?

19 A They asked us to look at The State Board  
20 Rule.

21 Q Did they give a reason why?

22 A Not directly. They just said -- they just  
23 said that it had been on the books for a while and  
24 that we needed to look at it again and make sure it  
25 was up to date and just go -- we periodically do

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
228

1 that with other Board rules, and they specifically  
2 pointed this Board rule out for to us carry through  
3 that process.

4 Q Did they indicate certain areas that they  
5 wanted you all to focus on?

6 A Not to me directly, but I'm sure there was  
7 conversations between them and other staff members.

8 Q Who else worked on the GNETS rule within  
9 GaDOE staff?

10 A I would assume it would be Nakeba, our  
11 Special Education Team, and our -- likely our policy  
12 team.

13 Q Did you also participate?

14 A Very limited. I think it was more an FYI  
15 versus involving in any of the language or anything.

16 Q Does the superintendent have to approve  
17 the rule before it goes to the State Board?

18 MR. BELINFANTE: Object to the form.

19 A There's a process, but the Board can take  
20 up rules without the superintendent's  
21 recommendation.

22 Q Did the superintendent approve of the 2017  
23 GNETS State Board Rule?

24 A I don't know about his personal approval,  
25 but he did move it forward. He decided to move it

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
229

1 forward to the committee, for the committee to  
2 review.

3 Q Did you have discussions with the  
4 superintendent about The State Board Rule for GNETS?

5 A Very high level. Just that our team had  
6 been involved in pulling it together and that we had  
7 public feedback sessions and it was high level  
8 decisions.

9 The thought was since the Board was  
10 requesting it, it was more something that they were  
11 going to have discussion versus the superintendent,  
12 but it wasn't necessarily a request that the  
13 superintendent had made.

14 Q In your experience is the 2017 GNETS State  
15 Board Rule an improvement compared to the 2017 --  
16 the pre-2017 rule?

17 MR. BELINFANTE: Object to form.

18 A I would hope any time we revise a rule  
19 that it's going in -- is an improvement.

20 So, yes, in the situation I think that  
21 would hopefully be an overall improvement to the  
22 previous rule.

23 Q Were there certain aspects that you wanted  
24 included in the new rule?

25 A No. Like I said, it was really a request

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
230

1 from the Board, and then more of Board members  
2 feeling satisfied with the proposed changes, and  
3 that discussion between the staff and Board members.

4 Q Have you received any feedback from your  
5 staff related to the 2017 rule and its  
6 effectiveness?

7 A I think they felt like it has been -- it  
8 was an improvement, but I haven't received any  
9 additional feedback from them.

10 Q How about from regional GNETS directors?

11 A No direct feedback from them on the rule.  
12 I haven't received anything from them.

13 Q Have you heard anything not directly, like  
14 indirectly through your GNETS program manager?

15 A Not that I can think of.

16 Q Have you received any feedback from the  
17 public once it was passed, other stakeholders?

18 MR. BELINFANTE: Object to form.

19 THE WITNESS: It's on the wheel. I  
20 apologize for that.

21 A Could you restate that question?

22 Q Yeah. I was curious if you received any  
23 feedback from stakeholders related to the new rule  
24 in 2017?

25 A None that --

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
231

1 MR. BELINFANTE: Object to form.

2 A -- I received.

3 Q Did you hear about feedback from your  
4 staff that they received?

5 A None. There were no red flags that were  
6 shared with me.

7 Q Any positives?

8 A I think a positive. I think any time a  
9 rule that's been around a long time, when you update  
10 it, I think people appreciate kind of that. But  
11 nothing that stood out that made it specifically to  
12 the topic.

13 Q Thank you.

14 Mr. Jones, I'm going to show you what was  
15 previously introduced as Plaintiff's Exhibit 82.  
16 It's the 2017 State Board Rule.

17 (WHEREUPON, Plaintiff's Exhibit-82 was  
18 previously marked for identification.)

19 BY MS. TUCKER:

20 Q Do you agree this is the 2017 State Board  
21 Rule?

22 A Yes.

23 Q I'd like us to turn to Page 4, under  
24 Duties and Responsibilities for the SEA.

25 Do you see that?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
232

1 A I do.

2 Q What is meant by SEA here?

3 A The State agency. The Georgia Department  
4 of Education.

5 Q So it will be SEA shall, first, quote,  
6 "Receive and disburse funds appropriated by the  
7 Georgia General Assembly to support GNETS services."

8 Do you see that?

9 A Yes.

10 Q Who works on this responsibility within  
11 GaDOE?

12 A That would be our Financial Business Team,  
13 with some effort of course with our GNETS person, or  
14 team.

15 Q Is there someone specifically in the  
16 Financial Business Team?

17 A I wouldn't know the specific staff that  
18 supports that.

19 Q Do you play a role?

20 A I would say extremely limited role.

21 Q And what would your extremely limited role  
22 be?

23 A More of a supervisory role of operations  
24 that are taking place at the Department.

25 Q How often are funds disbursed to the GNETS



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
233

1 programs?

2 A Typically annually.

3 Q Let's look at No. 2, "The SEA shall:  
4 Administer the grant funds by performing the  
5 following in collaboration with the GaDOE."

6 So the first one, (i), is "Develop rules  
7 and procedures regulating the operation of the GNETS  
8 grant, including the application process."

9 Do you see that?

10 A Yes.

11 Q Who works on this within GaDOE?

12 A If I could make a correction now that I've  
13 seen it.

14 I think in this instance the SEA is the  
15 State Board of Education.

16 Q Okay. Thank you.

17 So then moving to -- back to this  
18 question, "the SEA shall administer the grant funds  
19 by performing the following collaboration with the  
20 GaDOE," so that's Georgia Department of Ed?

21 A Yes.

22 Q First one is developing rules and  
23 procedures regulating the operation of the GNETS  
24 grant, including the application process.

25 Who works on this within GaDOE?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
234

1           A     That would be primarily our GNETS people,  
2     and then the mechanics would be probably our  
3     financial business operation.

4           Q     By GNETS people, are you currently  
5     referring to Vickie Cleveland and Lakesha Stevenson?

6           A     That's correct.

7           Q     And Nakeba Rahming in the past?

8           A     That's correct.

9           Q     Do you play a role?

10          A     Not outside of the one that I already  
11     articulated. Just a very high level role.

12          Q     And that was a high level role as  
13     supervising the agency?

14          A     Yes.

15          Q     Are there other rules specific to  
16     regulating the GNETS program in addition to The  
17     State Board Rule?

18               MR. BELINFANTE: Object to form.

19          A     To my knowledge, it's primarily The State  
20     Board Rule. I think there might be something in  
21     statute, state statute.

22          Q     This also talks about developing  
23     procedures. Do you see that?

24          A     Yes.

25          Q     Are you familiar with those procedures?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
235

1 A I believe they're financial procedures,  
2 yes.

3 Q Are there other procedures?

4 A Primarily it's a financial process.

5 Q Primarily, but there are other procedures?

6 A Yes.

7 Q And what would those be?

8 A Just the application to pull down the  
9 funds, or receive and pull down the funds.

10 Q The GNETS grant application?

11 A That's correct.

12 Q Anything else?

13 A Not to my knowledge.

14 Q Let's move to the next one: "Notify the  
15 fiscal agents regarding each fiscal year's  
16 allocation and approve GNETS services budgets."

17 Do you see that?

18 A Yes.

19 Q Who works on this within GaDOE?

20 A The same group, our GNETS staff and  
21 financial business operations.

22 Q Do you play the same role?

23 A On this one I can safely say they do the  
24 notification and approving themselves. So I'm not  
25 involved in that.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
236

1 Q Who approves the GNETS services for this?

2 A Probably the same group of people.

3 Q Within GaDOE?

4 A Yes.

5 Q And that would be Vickie Cleveland,  
6 Lakesha Stevenson, and then the Financial Business  
7 Team?

8 A Yes.

9 Q And when does this happen?

10 A I'm not sure.

11 Q Are you brought into conversations related  
12 to the GNETS services budgets?

13 A No.

14 Q Were you part of these conversations when  
15 Nakeba Rahming was the GNETS program manager?

16 A Just very high level.

17 Q Let's move to the next one.

18 "Monitor GNETS to ensure compliance with  
19 Federal and state policies, procedures, rules, and  
20 the delivery of appropriate instructional and  
21 therapeutic services."

22 Do you see that?

23 A Yes.

24 Q How does GaDOE monitor GNETS to ensure  
25 compliance with federal policies, procedures and

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
237

1 rules?

2 A Probably the -- similar to other areas.  
3 Pulling data, technical assistance, monitoring,  
4 those types of activities.

5 Q What federal policies, procedures and  
6 rules is this referring to?

7 A I would assume probably the statute, state  
8 statute, and just generally federal law that deals  
9 with students with disabilities.

10 Q The next -- the State -- the next one is  
11 how does GaDOE monitor --

12 MS. TUCKER: One second.

13 Scratch that.

14 BY MS. TUCKER:

15 Q How does GaDOE monitor GNETS to ensure  
16 delivery of appropriate instructional and  
17 therapeutic services?

18 A I think some of the work that they've done  
19 around identifying what services are currently in  
20 place and then assisting GNETS programs with  
21 addressing gaps in those services, both on the  
22 instructional and therapeutic end.

23 Q The "they" would be your GNETS program  
24 manager?

25 A That's correct.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
238

1 Q Is she the one who's making determinations  
2 about whether instructional and therapeutic services  
3 are appropriate?

4 A I'm sure in consultation with other people  
5 within the agency.

6 Q And who else would she be consulting with?

7 A Could be within our Special Education  
8 Team. It could also be within our Teaching and  
9 Learning Team.

10 Q What steps are taken if a regional GNETS  
11 program does not comply with the GNETS rule?

12 A I think the corrective action is typically  
13 an action that we'll take if there's a finding that  
14 can't be addressed through partnering or coaching.  
15 We usually issue a corrective action.

16 Q What does that look like?

17 A Essentially, just an action plan, that  
18 these are the -- these are the findings we've made  
19 and these are the actions that they had to take to  
20 address those findings.

21 Q Are there any GNETS -- regional GNETS  
22 programs under a corrective action plan right now?

23 A I'm not sure if there are or not. Those  
24 aren't shared with me.

25 Q Okay. Would the same step be taken if a

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
239

1 regional GNETS program was not complying with the  
2 federal policies, procedures and rules?

3 A Yes, and similar with any federal program.

4 Q What about if there was a finding that a  
5 regional GNETS program was not delivering  
6 appropriate instructional and therapeutic services?

7 MR. BELINFANTE: Object to form.

8 A I would have to know the context of that  
9 situation, and, again, lean on -- our team is the  
10 one that makes that determination, so.

11 Q The team being the GNETS program manager?

12 A That's correct. In consultation with  
13 other entities in the agency.

14 Q As chief of staff, what is your role with  
15 GaDOE's budget as a whole?

16 A Our budget is fairly defined by the  
17 legislature. So we don't get an overall budget  
18 amount. They're separated by programs and grants.

19 The vast majority of our budget is  
20 flow-through, where it's allocated to us but then it  
21 just goes right through us and allocated to partners  
22 or LEAs.

23 So pretty limited discretion around our  
24 agency's budget. That's just the reality of how  
25 it's set up.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
240

1 Q Got it.

2 Are you aware of a proposition during the  
3 last legislative session to eliminate the line item  
4 to fund the GNETS program in the annual  
5 appropriations bill and instead to funnel through  
6 the LEAs?

7 A I was aware there was some decisions  
8 around funding GNETS in an alternative manner, but  
9 there was -- my understanding is there were a lot of  
10 scenarios and ideas that were floating around.

11 Q How were you made aware?

12 A Just from -- I guess just like more  
13 hearsay than any, not necessarily directly told.  
14 Maybe our policy team might have mentioned it in an  
15 update, but not really -- I would see our policy  
16 team, and then a lot of hearsay just from people out  
17 in the field.

18 It was pretty common knowledge, too. Once  
19 it was proposed, it was a pretty quick turnaround,  
20 it seemed, from it becoming -- it was public, and I  
21 think there was -- I kind of saw what was happening  
22 then.

23 So that's kind of how it came to me.

24 Q Did you have conversations with the State  
25 legislature about the proposal?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
241

1           A     I did not have direct conversations. I  
2 think our policy team might have been in some  
3 discussions, but I wasn't in those discussions  
4 during that time.

5           Q     Did you have discussions with the policy  
6 team?

7           A     It was more -- I guess trying to get a  
8 sense of where they were going to go. It's honestly  
9 very cryptic on what the legislature was wanting to  
10 do. If anything, I probably prodded them to try to  
11 get some clarity because I know we were getting a  
12 lot of questions once that document was out there,  
13 and we couldn't really answer the questions because  
14 we didn't really know the rationale or what was  
15 happening behind the scenes. I think our policy  
16 team had very limited knowledge on what was going on  
17 as well.

18          Q     Who were you getting the questions from?

19          A     Just GNETS directors or RESAs or LEAs.

20          Q     Were they coming to you?

21          A     A few, a few might have come to me. I  
22 think probably the superintendent was hearing some  
23 things as well. So it was just more kind of hearing  
24 out in the field some questions that were coming out  
25 once the document was out there, the proposal was

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
242

1 put out there.

2 Q What was your view of the proposal?

3 A I think the timing was a concern of mine,  
4 and I think we just had not had a very thoughtful  
5 discussion around it, and I was hoping that there  
6 could be more time to have a more thoughtful  
7 discussion with us and stakeholders and other people  
8 who would be impacted before a proposal was made.

9 So I didn't necessarily have a viewpoint  
10 or judgment on the proposal; it was more what led up  
11 to that. It seemed kind of out of nowhere and then  
12 a lot of people weren't really engaged in putting  
13 that proposal together. Really, the question was  
14 around the timing and the shock versus the merit of  
15 the proposal itself.

16 Q Do you anticipate this will be raised  
17 during the current legislative session?

18 MR. BELINFANTE: Object to form.

19 A I'm not sure.

20 Q Have you had any conversations with your  
21 policy staff about a potential proposal?

22 A Um, there's been conversations about, you  
23 know, hopefully we can have that discussion that we  
24 didn't have last session this session, but it hasn't  
25 gone beyond, beyond that.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
243

1           That there's some interest to talk about  
2     funding, that, you know, we need to be at the table  
3     hopefully with other stakeholders, but that's kind  
4     of been the extent of that discussion.

5           Q     Has your team started preparing proposals  
6     or documents to analyze this?

7           A     I think -- you know, we --

8           MR. BELINFANTE:   Objection to the extent  
9     it requires you to reveal attorney-client  
10    communications or instructions from counsel.

11          A     I think we've pulled together numbers in  
12    the past around the funding mechanism, and that's,  
13    that's really where we're starting from.

14          Q     Have you been in conversations about  
15    changing the GNETS from a program to a school for  
16    funding purposes?

17          A     I have not directly, no.   Those  
18    discussions could have happened but I have not been  
19    involved in those discussions.

20          Q     Were you involved in any discussions  
21    related to the legislative directive to evaluate the  
22    GNETS program in November of last year?

23          A     I was aware that once that proposal kind  
24    of fell apart that the same legislator was  
25    interested in that report being pulled together.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
244

1 Q Who is that legislator?

2 A Chairman Tillery.

3 Q And was that report -- that evaluation  
4 done?

5 A Yes.

6 Q When?

7 A Probably within the last month.

8 Q And it was sent to Senator Tillery?

9 A Yes, that's correct.

10 Q Did you work on that?

11 A In a limited way. A lot of it, what I  
12 said earlier, we had a meeting with them to get a  
13 sense of what they were looking for. It was more  
14 around the data points and how the program was laid  
15 out more than anything else. So our staff really  
16 pulled that together.

17 So the majority of the report was, was  
18 done in that manner.

19 Q What type of evaluation was done?

20 A I would say there wasn't a formal  
21 evaluation done, just from a time frame. We had  
22 some limited discussion about getting an evaluator,  
23 and it was going to take quite a bit of time and the  
24 legislature was wanting something by January. So  
25 there just wasn't the time to go out and do an

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
245

1 independent evaluation or to contract with someone  
2 else.

3 That's when we went to the senator to ask  
4 for clarification. We mentioned the barrier,  
5 defining someone externally doing an evaluation. He  
6 said, well, I'm not, I'm not asking for a formal  
7 evaluation, I'm asking for more kind of a one-on-one  
8 about the program. I'm just trying to learn more  
9 about the program itself.

10 So that's how the report -- that's the  
11 line the report went in.

12 Q Did the report include recommendations for  
13 moving forward?

14 A It did.

15 Q And what were those?

16 A There was a variety of recommendations. I  
17 can't remember all of them. I think it was some  
18 mention aligning to the Governor's legislative  
19 priority around counseling and other nonacademic  
20 supports, modernizing QBE overall, and making sure  
21 nonacademic supports are included in that  
22 modernization, and I think there was a discussion  
23 around including therapeutic services in the QBE  
24 formula as well.

25 Q Did the report involve any recommendations

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
246

1 specific to the GNETS program?

2 A We considered all those as impacting the  
3 GNETS program.

4 Q Has the senator followed up with any  
5 questions?

6 A I have not received any questions.

7 Q Do you anticipate receiving questions?

8 A I'm not sure. That's hard to predict.

9 Q Is there a meeting scheduled to discuss?

10 A There isn't. We do not have regularly  
11 scheduled meetings.

12 Q Okay, got it.

13 I'm going to show you what was previously  
14 introduced as Plaintiff's Exhibit 390.

15 (WHEREUPON, Plaintiff's Exhibit-390 was  
16 previously marked for identification.)

17 BY MS. TUCKER:

18 Q This is an April 24, 2020 email produced  
19 to us by the State. It's from Vickie Cleveland to  
20 Shaun Owen and Zelfhine Smith-Dixon.

21 The subject reads: "Documents for  
22 Tomorrow." And there are four attachments.

23 Do you see that?

24 A Yes.

25 Q I'd like to turn to the last attachment, a

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
247

1 PowerPoint with the document named "GNETS Funding,"  
2 4-29-2020.

3 It starts with Bates No. GA00054567.

4 Let me know when you get there.

5 A Yes, I'm there.

6 Q Do you recognize this PowerPoint?

7 A No, I do not.

8 Q Is this something you would have been  
9 shown?

10 A Not necessarily.

11 Q Let's go to the fourth slide, the one that  
12 ends in .004.

13 Do you see it?

14 A Yes.

15 Q This reads: "GNETS FY20 Funding,"  
16 correct?

17 A Correct.

18 Q And it reads that the state grant provides  
19 \$62,285,243 to GNETS for fiscal year '20?

20 A Yes.

21 Q Does this include funding at the State  
22 level as well as funding that's eventually provided  
23 to the regional GNETS programs?

24 A I don't -- I don't know what's behind the  
25 State finding. I just know it's state funding.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
248

1 Q Is it a similar amount this year?

2 A I believe so.

3 Q Let's look to the 13th slide.

4 Do you see -- let me know when you're  
5 there.

6 A Yes.

7 Q Do you agree with me this represents  
8 fiscal year '20 contracts and grants for the GNETS  
9 program?

10 A I do.

11 Q And it's provided by GaDOE?

12 A Yes.

13 Q Are these contracts paid for with state  
14 grant money? Or is it separate?

15 A It could be IDEA funds. I'm not sure what  
16 the funding source is for these.

17 Q Are these contracts that GaDOE still  
18 offers the regional GNETS program?

19 A I believe so, yes.

20 Q And these are contracts that benefit the  
21 regional GNETS program?

22 A Yes, I would assume so.

23 Q Mr. Jones, earlier you mentioned that you  
24 haven't visited regional GNETS programs but Shaun  
25 Owen had attended some site visits to regional GNETS



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
249

1 programs?

2 A That's correct.

3 Q At that time I asked whether you were  
4 referring to site visits with DOJ team?

5 A Yes.

6 Q And you also said that she did some  
7 independent site visits?

8 A I believe so, yes.

9 Q What led her to do those independent site  
10 visits?

11 A I believe when she took on that new role  
12 as deputy, she knew GNETS was a program that she  
13 needed to know a good bit about. So I think she  
14 took it upon herself to visit some of those  
15 programs.

16 Q Did she do that along with anyone else  
17 from GaDOE?

18 A I'm not sure.

19 Q Has she done any of those independent  
20 visits recently?

21 A Possibly, but I'm not sure if she has.

22 Q Are you aware of any other GaDOE employees  
23 joining DOJ on site visits as part of this  
24 litigation?

25 A I believe Stacey Suber-Drake has joined

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
250

1 some of those. And it's possible other staff  
2 members have joined those.

3 Q Do you play a role in determining which  
4 GaDOE employees would join those visits?

5 A I do not.

6 Q Who does?

7 A They themselves decide who needs to be  
8 there.

9 Q Are you advised before a GaDOE employee  
10 joins the DOJ on a site visit?

11 A No. I think I'm informed but not  
12 necessarily -- it's not an approval thing or  
13 anything like that.

14 Q I understand. So you're informed before  
15 they go on a site visit?

16 A Yes.

17 Q Who are you informed by?

18 A Typically the staff member who will be  
19 visiting, or they might include the other staff  
20 members if I'm having a conversation with them.

21 So, for example, Shaun might say we're  
22 doing a site visit and these people are going to be  
23 joining us from our team.

24 Q Did you request that GaDOE employees do  
25 anything specific on these site visits?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
251

1 A I did not.

2 Q Did you ask them to take photographs?

3 A I did not.

4 Q Take notes?

5 A I did not.

6 Q Have you reviewed any photographs that  
7 they've taken?

8 A I don't believe that I have.

9 Q Have you reviewed any notes?

10 A I don't think so.

11 Q Have you had discussions with Shaun Owen  
12 after a site visit with DOJ?

13 A Yes.

14 Q And what was the nature of those  
15 conversations?

16 A She likes to take a lot of pictures. She  
17 just talked about how she took a lot of pictures.  
18 So that was pretty much the nature of that  
19 discussion.

20 Q But she did not share any pictures?

21 A She did not. Not to my knowledge, she did  
22 not. I don't remember receiving a picture from her.

23 Q She just shared she took a lot of photos?

24 A Yes, she did.

25 Q Did she share anything else?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
252

1 A No.

2 Q Have you asked her questions about the  
3 visits?

4 A I think it was more making sure, you know,  
5 we were attending those and from our end things were  
6 going smoothly. But other than that, we didn't  
7 discuss the details.

8 Q Has Shaun Owen raised any concerns about a  
9 program following a visit?

10 MR. BELINFANTE: Object to the extent it  
11 requires you to reveal information revealed in  
12 the presence of counsel and instruct you not to  
13 answer that.

14 A I'm trying to think of any specific  
15 examples that she gave. What I recall is just  
16 really high level of a lot of visits, very long  
17 visits, and taking a lot of pictures. Just saying  
18 that, you know, whatever there's a picture taken of,  
19 I'm taking a picture, too.

20 That seemed to be where the discussion  
21 really lied, and for me it was just really making  
22 sure that we had someone there from the Department  
23 and that we were just in the loop on how those  
24 things were going.

25 Q Why did you want to make sure there was

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
253

1 someone there from the Department?

2 A Just to have a sense that, you know, what  
3 was happening. Just that there was anything that  
4 was really brought to our attention that we would  
5 know about it directly. We weren't hearing it  
6 through other means.

7 Q Was anything brought to your attention?

8 MR. BELINFANTE: Same objection.

9 A I believe there was an issue at one of the  
10 sites, but that's all that I can remember. I think  
11 there was a specific site where there were some  
12 issues raised.

13 Q Do you recall which site?

14 A I believe it was Horizons, but I'm not  
15 sure if I'm correct in that.

16 Q I'm showing you what was previously  
17 produced as Plaintiff's Exhibit 703.

18 (WHEREUPON, Plaintiff's Exhibit-703 was  
19 previously marked for identification.)

20 BY MS. TUCKER:

21 Q This is a May 23rd, 2022 letter from the  
22 Department of Justice to counsel regarding the site  
23 visit to the Horizon Academy on May 5, 2022.

24 Did you see this letter, Mr. Jones?

25 A I knew about this letter. I'm not sure

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
254

1 that I specifically saw it and read it, but I did  
2 know about the letter.

3 Q How did you know about the letter?

4 A Um, again, I think I mentioned before  
5 there was an issue brought to me around Horizon. So  
6 I think that was what tied into this letter  
7 specifically.

8 Q Okay. What was your reaction to what  
9 Shaun Owen shared about her visit to the Horizon  
10 center in May of 2022?

11 A Predominantly it was about some facility  
12 concerns, and I believe the discussion was around  
13 does our facilities team know about this, and she  
14 said she already contacted the facilities team, and  
15 they would have already reached out and started  
16 trying to work with this particular program about  
17 addressing some of these issues.

18 Q Were you -- what was your reaction,  
19 though, to the letter?

20 A Well, I think it had already been conveyed  
21 verbally before I saw the tangible letter.

22 Q Okay. Got it.

23 A So I would say the letter didn't have as  
24 much --

25 Q Yeah. What was your reaction to her

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
255

1 bringing it to your attention the first time?

2 A Just making sure our facilities team knew  
3 about it and they were working to address the  
4 concerns.

5 Q Did you follow up with the facilities  
6 team?

7 A I did. I had a brief discussion with  
8 them.

9 Q And what did they say?

10 A They had said that they were working with  
11 Shaun and that they were working with that program  
12 to address the concerns that were in the letter.

13 Q And who was this from the facilities team?

14 A I believe it was -- we had a -- either Pat  
15 Scoffield or our current facilities person. Sorry.  
16 He's fairly new.

17 I think his name is Mike, too. But it was  
18 one of the two. They were in transition. Pat was  
19 about to retire and this guy was about to take Pat's  
20 position, so it could have been the other person.

21 Q When Shaun Owen brought this to your  
22 attention, did you ask to see any of the relevant  
23 photos for this visit?

24 A I did not.

25 Q And she did not share any?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
256

1 A That's correct.

2 Q If you wanted to see the photos, are they  
3 available on like a share drive for you to review?

4 A I don't know where they're stored.

5 Q Have you followed up again related to the  
6 Horizon program?

7 A At the time I had that discussion with our  
8 facilities team, and they said they were comfortable  
9 around the plan to address it, and I haven't heard  
10 anything since then. So that's my last reference  
11 point, is that, that discussion.

12 Q So do you know the current status of that  
13 location?

14 A No, not currently.

15 Q Is that something that you're -- is it  
16 something Shaun Owen would follow up with the  
17 program about?

18 A Yeah, I would assume so.

19 Q And what did you understand the plan to be  
20 from the facilities team?

21 A They were -- my understanding was that the  
22 facilities team -- or, sorry. The facilities team  
23 told me was they were going to work with that  
24 program to address immediate concerns, and then work  
25 on a long-term transitioning plan to a different



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
257

1 facility that was in that system.

2 Q Do you know if that's still the plan?

3 A I haven't heard anything different, so I  
4 would assume that's still the plan.

5 Q What is the GNETS grant application?

6 A Could you specify that a little bit more?

7 Q Yeah. We spoke about it a little bit.

8 What does the GNETS grant application  
9 provide to the regional GNETS programs?

10 A The application is what they fill out to  
11 receive the grant funds, and then they submit a  
12 budget that's reviewed and approved by staff on how  
13 to use -- expend those funds.

14 Q Is it -- do each regional program complete  
15 it annually?

16 A I believe so.

17 Q Have you reviewed GNETS grant  
18 applications?

19 A I have not.

20 Q How about when you were directly working  
21 with Nakeba Rahming?

22 A I did not.

23 Q Do you know anyone else who assesses the  
24 GNETS grant applications?

25 A Not outside the team. I mentioned it

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
258

1 could be special education, our GNETS team, or  
2 financial business operations.

3 MS. TUCKER: Are you all okay taking a  
4 five-minute break?

5 THE WITNESS: Yes.

6 MR. BELINFANTE: Can we make 10?

7 MS. TUCKER: Of course.

8 THE VIDEOGRAPHER: Off the record at 3:20  
9 p.m.

10 (A recess was taken.)

11 THE VIDEOGRAPHER: Back on the record at  
12 3:44 p.m.

13 BY MS. TUCKER:

14 Q Welcome back, Mr. Jones.

15 I want to follow up on a few things we  
16 discussed earlier.

17 A Okay.

18 Q When we were talking about the Horizon  
19 regional GNETS program and the site that was visited  
20 in May 2022.

21 A Yes.

22 Q Do you recall that you said the team  
23 shared that they would be transitioning out of that  
24 site?

25 A At that time, yes, that's what was

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
259

1 communicated to me.

2 Q And what was the timeline for that?

3 A They didn't mention a specific timeline  
4 but I think they were saying that they were going to  
5 work on a plan for that to take place.

6 Q And you haven't received other updates?

7 A I have not.

8 Q Okay, thank you.

9 Earlier you also mentioned that the GaDOE  
10 sent a report to Senator Tillery in the last month  
11 or so?

12 A Yes.

13 Q What form was that report in?

14 A Just a regular -- can you clarify that a  
15 little bit?

16 Q I'm happy to.

17 Was it in a Word document or was it a  
18 verbal report?

19 A It was Word document.

20 Q Okay.

21 A PDF, I believe.

22 Q PDF.

23 A I believe it was right before the holidays  
24 or during the holidays.

25 Q And how was it submitted to Senator

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
260

1 Tillery?

2 A Just through email.

3 Q Email. Who sent it?

4 A I did.

5 Q You did?

6 A Yes.

7 Q And who else was copied on that email?

8 A Tiffany Taylor.

9 Q Okay.

10 A She pulled the report together and asked  
11 for me to email it to Chairman Tillery.

12 Q Understood. Was anyone on the email  
13 exchange in addition to you, Senator Tillery, and  
14 Tiffany Taylor?

15 A No, but I believe she shared it to some  
16 additional people, I think like the House and Senate  
17 offices. I'm not sure who exactly they shared with,  
18 but I know she shared it with others after I shared  
19 it with him.

20 Q Were you copied on those email exchanges?

21 A I could have been. I'm not sure.

22 Q Did Senator Tillery send you a response to  
23 that email?

24 A No response.

25 Q When we were talking about the proposal

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
261

1 during the last legislative session related to GNETS  
2 funding, do you recall that?

3 A I do.

4 Q Okay. I think -- I believe you mentioned  
5 that you thought it was important for GaDOE to be at  
6 the table and discuss this. Is that correct?

7 A Along with other stakeholders.

8 Q Have you communicated this to the  
9 legislature?

10 A No, I haven't. We have not.

11 Q Have you communicated it to the Governor's  
12 Office?

13 A They didn't have any interest in that  
14 topic, so there wouldn't have been a need to  
15 communicate with them. They weren't the one pushing  
16 the proposal.

17 Q I see. So they weren't pushing the  
18 proposal. You also believe they have no interest in  
19 the topic of GNETS funding?

20 MR. BELINFANTE: Object to the form.

21 A They have not shown that as a priority.

22 Q If you could change how GNETS was funded,  
23 how would you structure it?

24 A I don't know if I have the expertise or  
25 background to put together a funding proposal in a

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
262

1 few seconds, but I don't have really anything to  
2 share on that.

3 I think I had the email that we referenced  
4 earlier. That's probably the extent of what my idea  
5 would be around the formula.

6 Q And just to confirm, you're speaking about  
7 the email to Vickie Cleveland and Ted Beck where you  
8 described the idea model?

9 A Yes.

10 Q Ideal model?

11 A Yes.

12 Q Thank you.

13 MS. TUCKER: I'd like the court reporter  
14 to mark the following exhibit as Plaintiff's  
15 Exhibit 834.

16 (WHEREUPON, Plaintiff's Exhibit-834 was  
17 marked for identification.)

18 BY MS. TUCKER:

19 Q This is an August 3rd, 2016 email from  
20 Nakeba Rahming to you, with the subject "PowerPoint  
21 presentation."

22 There's one attachment.

23 The Bates number on the bottom of the  
24 first page reads GA03469725, and this was produced  
25 to us by the State.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
263

1 Mr. Jones, do you recognize this email?

2 A Yes, I do.

3 Q And am I correct that Nakeba Rahming is  
4 sharing a PowerPoint from the day before? Is that  
5 --

6 A Yes.

7 Q It's labeled "EC PowerPoint."

8 A Yes.

9 Q What does EC stand for?

10 A Executive Committee.

11 Q And we spoke about this earlier, the  
12 Executive Committee, right?

13 A That's correct.

14 Q And it's you, the superintendent --

15 A And direct reports.

16 Q Was the State Board also included?

17 A No.

18 Q So let's turn to the PowerPoint  
19 attachment. The number on the first page of this  
20 attachment is GA03469726.

21 And on .001 is the first slide, which  
22 reads: "GaDOE's Executive Committee Updates on  
23 GNETS."

24 Do you see that?

25 A I do.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
264

1 Q And again what's the difference between  
2 the Executive Committee and the cabinet?

3 A They're one -- well, technically, the  
4 cabinet is a broader group in the agency. They vet  
5 items. And the Executive Committee is just direct  
6 reports. I say cabinet because like a leadership  
7 cabinet type of thing.

8 Q You were in attendance at this August 2nd,  
9 2016 meeting?

10 A Likely so.

11 Q Let's go to Slide 4.

12 MR. BELINFANTE: Can I note something for  
13 the record?

14 MS. TUCKER: Yes.

15 MR. BELINFANTE: And I saw it on one of  
16 the other PowerPoints, too. It looks like, if  
17 you look at the bottom, and I'm looking at the  
18 first slide but it's on the other ones, there's  
19 a date of January 6, 2023.

20 I'm presuming that's when it was opened  
21 and printed?

22 MS. TUCKER: I see that. Thank you, Josh.  
23 Yes.

24 MR. BELINFANTE: Okay.

25 MS. TUCKER: That is correct.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
265

1 MR. BELINFANTE: Okay. I just don't think  
2 it's part of the original. I don't think  
3 there's an objection to be made. We understand  
4 that kind of stuff happens but not a big deal.

5 MS. TUCKER: I apologize we missed that.

6 MR. BELINFANTE: Look, I have done that a  
7 hundred times easily. And you've got the date  
8 on the thing.

9 MS. TUCKER: Okay.

10 MR. BELINFANTE: I just for the record  
11 will note that was not part of the slide but no  
12 objection to the authenticity or anything like  
13 that.

14 MS. TUCKER: Thank you.

15 BY MS. TUCKER:

16 Q And, again, this PowerPoint was from  
17 August 2nd, 2016?

18 A Yes.

19 Q Okay, thank you.

20 Did Nakeba Rahming share this PowerPoint  
21 with you in advance?

22 A I don't believe so.

23 Q Would she have shared with you what she  
24 planned to discuss with the Executive Committee at  
25 this meeting?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
266

1 A Not necessarily.

2 Q Would you have asked her to present at the  
3 Executive Committee?

4 A For her -- possibly, yes. I'm not sure  
5 the -- probably so, yeah. Because she was reporting  
6 directly to me.

7 Q Let's go to Slide 4, GNETS Programs, and  
8 do you see where it says, "Systems Level Change"?

9 A Yes.

10 Q And the first bullet reads: "GaDOE's  
11 Project Management plan to guide change at the state  
12 level."

13 Do you see that?

14 A I do.

15 Q What is the Project Management Plan?

16 A It was a document I believe Nakeba pulled  
17 together to track her work.

18 Q Did you ask her to do that?

19 A She did that on her own.

20 Q Did she share it with you regularly?

21 A I think she would talk off it when we did  
22 check-ins, but I don't think that was something she  
23 formally shared with me.

24 Q And the second bullet reads: "The GNETS  
25 Strategic Plan to guide change at the program

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
267

1 level."

2 Do you see that?

3 A Yes.

4 Q What is the GNETS Strategic Plan?

5 A A document that I think Nakeba -- I think  
6 Debbie Gay had pulled something together and then  
7 Nakeba updated that, revised that, and that -- that  
8 informed the Project Management Plan and gave the  
9 GNETS programs some I think guidance on the  
10 direction that we were going.

11 Q The guidance of the direction you were  
12 going. What does that mean?

13 A Sorry. It gave the GNETS programs an idea  
14 where the State -- the direction the State was  
15 heading in, in regard to the program.

16 Q And what direction would that be?

17 A Just I think around those four areas, and  
18 I think my understanding is they also worked with  
19 GNETS directors to develop that plan as well. So it  
20 was a collaborative effort.

21 Q Let's go to the next slide. Let me know  
22 when you're there.

23 It's with the .005 at the end?

24 A Yes.

25 Q This is an excerpt from the GaDOE's

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
268

1 Project Management Plan, correct?

2 A Sorry, I'm trying to understand how long  
3 this meeting lasted. There's 50 slides. I'm having  
4 a hard time thinking she actually presented this or  
5 presented this all at the meeting.

6 Q It was a marathon meeting.

7 MR. BELINFANTE: GTA meeting.

8 THE WITNESS: Must have been.

9 BY MS. TUCKER:

10 Q Again, am I correct this is an excerpt  
11 from the GaDOE's Project Management Plan?

12 A Yes.

13 Q And just a moment ago you said Nakeba  
14 Rahming initiated the Project Management Plan?

15 A She did.

16 Q And when did she first create it?

17 A I think it was one of the first things she  
18 pulled together when she came on board to that  
19 position, the GNETS manager position.

20 Q Was it updated over time?

21 A I believe so.

22 Q By others in addition to Nakeba?

23 A I think she was the primary author and  
24 owner, but I'm sure she collaborated with others in  
25 the agency, and for the contents of the plan.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
269

1 Q Did you provide updates to the plan?

2 A No. She did all that herself.

3 Q Is it still being updated?

4 A I'm not sure if they're still using --  
5 still using it.

6 Q Who do you mean?

7 A Vickie Cleveland.

8 Q I know it's a little bit small on this  
9 page, but it looks like there's ratings towards the  
10 right. Do you see that?

11 A Yes.

12 Q Who determined the ratings?

13 A I believe she determined those ratings.

14 Q Did you ever ask her any questions about  
15 any of the ratings?

16 A I did not.

17 Q Did others at GaDOE?

18 A I'm not sure.

19 Q Did she also share this with the  
20 superintendent?

21 A It could have been shared with him, but I  
22 don't recall a time when it was shared with him.

23 Q Do you recall if he had questions about  
24 it?

25 A I did not.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
270

1 Q Let's go to the next slide, the one ending  
2 in .006, and this is on the 2016-17 Strategic Plan.

3 Do you see that?

4 A Yes.

5 Q And when did you say the strategic plan  
6 came about?

7 A I think there was an earlier plan that had  
8 been in existence prior to me coming on board to the  
9 Department, and Nakeba had updated that plan as one  
10 of the first things that she did when she took the  
11 role.

12 Q Do you know if the plan was active prior  
13 to Nakeba updating it?

14 A I'm not sure if it was active.

15 Q Can you turn to the next slide ending in  
16 .007.

17 Do you see that it reads: "GNETS  
18 Strategic Plan with embedded assessment"?

19 A Yes.

20 Q Was this assessment completed by GaDOE?

21 A I would assume it was completed by the  
22 DOE.

23 Q And how were these ratings assessed?

24 A Seems like she's developed some ratings  
25 for each of the categories, and then she would be

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
271

1 part of rating each of those categories.

2 Q Was this done in totality for all GNETS  
3 programs together?

4 A I believe it was for -- I don't know what  
5 level it was used for.

6 Q Would she share her results with you and  
7 her ratings?

8 A No. I would -- I don't think she did  
9 share the ratings with me.

10 Q If you go to the 8th slide, which is  
11 actually the page ending in .009.

12 Do you see that?

13 A Yes.

14 Q With the Self Assessment Report?

15 A Yes.

16 Q Was this self-assessment for regional  
17 GNETS programs to complete?

18 A Yes.

19 Q And it was part of the strategic plan?

20 A Yes. I think all those things were tied  
21 together.

22 Q Do you know how often that the regional  
23 programs complete this?

24 A I would assume annually, but I don't know  
25 the frequency that they completed it.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
272

1 Q Do you know if they're still completing  
2 strategic plans?

3 A I'm not sure.

4 Q Who would know?

5 A Vickie Cleveland.

6 Q So let's look at the talking points, which  
7 are below the Self Assessment Report. Do you see  
8 that --

9 A Yes.

10 Q -- slide?

11 It's -- the last sentence reads: "When  
12 the data is compiled across all of the GNETS  
13 programs, it will show us what our priority areas  
14 may look like across the entire network, which will  
15 facilitate a process for continuous planning and  
16 improvement as a whole."

17 Do you see that?

18 A I do.

19 Q So is it fair to say that GaDOE was using  
20 the strategic plan data for improvements across the  
21 State GNETS programs?

22 A To me it read like it was a way for her to  
23 identify areas that other parts of the agency could  
24 collaborate with her on. Say there was a gap in  
25 instruction, that would be a good opportunity for



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
273

1 her to collaborate with our Teaching and Learning  
2 Team.

3 Q To improve --

4 A A gap that had been identified.

5 Q In the GNETS programs?

6 A Yes.

7 MS. TUCKER: I'd like the court reporter  
8 to mark the following document as Plaintiff's  
9 Exhibit 835.

10 (WHEREUPON, Plaintiff's Exhibit-835 was  
11 marked for identification.)

12 BY MS. TUCKER:

13 Q This is a May 11, 2017 email invite from  
14 Geraldine Price to you with the subject "Nakeba -  
15 Visit GNETS Sites."

16 A Yes.

17 Q And there's an email attachment.

18 This was produced to us by the State.

19 And the Bates number on the bottom of the  
20 first page of the document reads GA03479610.

21 Do you recognize this invite?

22 A I do.

23 Q Who is Geraldine Price?

24 A She's my administrative assistant.

25 Q Is she still your administrative

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
274

1 assistant?

2 A She is.

3 Q Has she been your administrative assistant  
4 your entire time at GaDOE?

5 A Yes.

6 Q This is an invite for you to join Nakeba  
7 Rahming's sites for visits to GNETS?

8 A Two specific visits.

9 Q And this is what we were referring -- what  
10 you referred to earlier?

11 A That's correct.

12 Q So if we go to the attachment, which  
13 starts on GA03479611, the attachment is an email  
14 thread, and this is you identifying that you had  
15 planned to attend the Riverquest and Heartland  
16 sites?

17 A Yes.

18 Q And those were the meetings that you  
19 joined and sat in a room to do work?

20 A Yes.

21 Q Did you take tours of the facilities?

22 A On my way to a room. So they walked me  
23 down the hallway on the way finding me a place to do  
24 some work. And I of course said hello and some of  
25 those things. But, yes, that's about the extent of

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
275

1 the facilities I saw at that time.

2 Q If you look at the second attachment, it  
3 has GA03479613 on the bottom.

4 Let me know when you get there.

5 At the top it says "GNETS Strategic Plan  
6 Rubric Interviews and Ratings"?

7 A Yes.

8 Q So am I correct these are visits that  
9 Nakeba Rahming planned to conduct in conjunction  
10 with the GNETS Strategic Plan?

11 A I think that was part of the meeting, yes.

12 Q What else was the meeting?

13 A I had not seen this attachment. I just  
14 saw the calendar invite.

15 This was attached to the calendar invite,  
16 so I just saw it on my calendar. I didn't go  
17 further and look at the attachments at this point.

18 Q You didn't open it up?

19 A No, I didn't.

20 Q Did you help determine any of the  
21 strategic plan feedback given following those site  
22 visits?

23 A I did not.

24 Q When you were at lunch with Nakeba Rahming  
25 in the middle of the two visits, did she advise you

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
276

1 on how she thought the visits were going?

2 A Just high level, she thought it was --  
3 they were -- the discussions were going well and she  
4 said the tone was positive and she seemed excited  
5 about the work, and she said it was a lot to do in a  
6 few days. So she was talking about being on the  
7 road so much and those types of things, but she  
8 didn't dive into any of the metrics or any meat of  
9 the discussions she had with them.

10 Q Were you aware that she was assessing them  
11 for the strategic plan at that time?

12 A Yeah, I knew she was having discussions  
13 with them to kind of -- we talked about earlier,  
14 kind of where they were and identify areas of  
15 improvement, areas of support. So I know those  
16 discussions were going on.

17 MS. GARDNER: I'd like the court reporter  
18 to mark this document as Plaintiff's Exhibit  
19 836.

20 (WHEREUPON, Plaintiff's Exhibit-836 was  
21 marked for identification.)

22 BY MS. TUCKER:

23 Q This is an email thread with the most  
24 recent email dated July 24, 2018, from you to Roman  
25 Numeral IIIIXVI with the subject "FY18 GNETS EOY

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
277

1 Strategic Plan Results," and there's one attachment.

2 The Bates number on the bottom of the  
3 first page reads GA03512056, and this was an email  
4 produced to us by the State.

5 Do you recognize this email?

6 A Yes.

7 Q Let's start at the bottom email from  
8 Vickie Cleveland on this page.

9 Am I correct that she's sharing the  
10 results of the Fiscal Year 18 strategic plan review?

11 A Yes.

12 Q Were you sent results in other years?

13 A Not that I can recall.

14 Q Were you sent results in the last two  
15 years?

16 A Not that I remember.

17 Q Have you ever been briefed on the regional  
18 GNETS program's strategic plan reviews?

19 A Not specifically, not outside something  
20 like this, to this level.

21 Q Looking at the top email, who, who  
22 receives the email to the Roman Numeral IIIXVI?

23 A The superintendent.

24 Q Does anyone else have access to that email  
25 account?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
278

1 A Not that I know of.

2 Q And why did you send this email and  
3 document to the superintendent?

4 A This is more just an FYI.

5 Q Did he respond?

6 A He did not.

7 Q Did he raise it at any meetings or ask  
8 questions?

9 A He did not.

10 Q Let's look at the attachment, with the  
11 first page, the Bates number reading GA03512057.

12 Do you see that?

13 A I do.

14 Q At the top there's a GaDOE logo and the  
15 heading reads "FY18 Year 2 Results for GNETS End of  
16 Year Strategic Plan Compliance Review."

17 And then "Reviews conducted by the Georgia  
18 Department of Education."

19 Do you recognize this?

20 A Yes, I do.

21 Q Let's look at the review process.

22 In the middle of that paragraph, do you  
23 see where it reads: "At the end of the school year,  
24 the teams completed their final ratings and prepared  
25 for an onsite review from the GNETS state program

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
279

1 manager."

2 Do you see that?

3 A I do.

4 Q And the GNETS state program manager would  
5 be Vickie Cleveland at this time?

6 A That's correct.

7 Q The next sentence reads: "The goal of the  
8 review process was to determine how well each team  
9 implemented the strategic plan components with  
10 fidelity."

11 Is that correct?

12 A That's correct.

13 Q And then this document continues to  
14 identify the ratings that Vickie Cleveland was to  
15 assign, correct?

16 A That's correct.

17 Q And on the second page these are the  
18 scores that Vickie Cleveland assigned to the  
19 regional GNETS programs?

20 A That's correct.

21 Q Did you ask any questions related to these  
22 scores?

23 A I don't think I really dived into it  
24 because it was sent to Zelfhine. I was just copied  
25 on the email.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
280

1                   So typically that's more just a loop me  
2                   into something and not necessarily an action on my  
3                   part. So I remember opening the attachment, but I  
4                   don't remember seeing any -- anything that jumped  
5                   out to me as a concern.

6               Q     Have you asked questions about ratings in  
7                   other years?

8               A     I have not.

9               Q     What -- are steps taken based on these  
10                   ratings?

11              A     I would assume so but I'm not -- I do not  
12                   know the specific steps that are taken.

13              Q     What is the status of the strategic plan  
14                   today?

15              A     I'm not sure of the status of the  
16                   strategic plan. I would assume it's in place in  
17                   some capacity.

18              Q     Mr. Jones, earlier you mentioned PBIS.  
19                   Right at the beginning --

20              A     Okay. Sorry.

21              Q     -- we were looking at the organizational  
22                   structures. I know it's been a long day.

23                   What is PBIS?

24              A     Positive Behavioral Intervention Supports.

25              Q     And how does that relate to school



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
281

1 climate?

2 A It's a best practice to improve school  
3 climate.

4 Q And do you consider school climate to be  
5 important?

6 A I do, yes.

7 Q Why is that?

8 A I think students need to feel like they  
9 can learn and staff can learn in a supportive  
10 environment.

11 Q Have you championed school climate  
12 initiatives in Georgia?

13 A Yes.

14 Q In what ways?

15 A Support for PBIS and support of other  
16 initiatives, like classroom management strategies  
17 and nonacademic programs.

18 MS. TUCKER: I'd like the court reporter  
19 to mark the attached document as Plaintiff's  
20 Exhibit 837.

21 (WHEREUPON, Plaintiff's Exhibit-837 was  
22 marked for identification.)

23 BY MS. TUCKER:

24 Q This is an August 4, 2020 email from you  
25 to DOE users with the subject "Agency Updates."

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
282

1                   There's one attachment.

2                   And the Bates number on the bottom of the  
3 first page reads GA01004895.

4                   This was produced to us by the State.

5                   Do you recognize this email?

6           A       I do.

7           Q       Who receives emails at DOE users?

8           A       All staff members.

9           Q       Are you included on it?

10          A       Yes.

11          Q       The superintendent?

12          A       Yes.

13          Q       Let's look at the attachment. So starting  
14 with GA01004897.

15          A       Okay.

16          Q       Does this organization chart appear to  
17 accurately reflect the organization of GaDOE as of  
18 August 4th, 2020?

19          A       It does.

20          Q       This organization chart shows Garry  
21 McGiboney as a deputy superintendent over School  
22 Safety and Climate?

23          A       Yes.

24          Q       It's --

25          A       I see.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
283

1 Q Okay. Am I correct that Garry McGiboney  
2 directly reported to you?

3 A That's correct.

4 Q Does he still report to you?

5 A He does not.

6 Q Is he still with GaDOE?

7 A No. He retired.

8 Q Retired. When did he retire?

9 A Probably around four years ago. Four or  
10 five years ago.

11 Q Thank you.

12 A Or actually -- sorry, my apologies.  
13 Probably 2020 or 2021.

14 Q A little more recently?

15 A Yes.

16 Q Some parts of 2020 were a blur.

17 A I know. It's all pre-pandemic or  
18 post-pandemic. That's the marker.

19 Q Exactly.

20 Okay. So under his name on this chart I  
21 see both Safety and Climate bolded. Do you see  
22 that?

23 A Yes.

24 Q Okay. I know we were speaking about  
25 school climate earlier, but how would you define it?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
284

1           A     Just again I think it's the environment,  
2     the learning environment for students, staff and  
3     support personnel.

4           Q     And at that time Garry McGiboney oversaw  
5     school climate initiatives?

6           A     He did.

7           Q     What did those efforts look like?

8           A     Primarily, they were PBIS. There were  
9     some ancillary programs and initiatives, but I would  
10    say the largest initiative or primary initiative was  
11    PBIS.

12          Q     Was Garry McGiboney successful in his  
13    efforts to improve school climate?

14          A     I believe so.

15          Q     Were there any ways in which you believed  
16    he was not successful on school climate?

17          A     I think -- thinking of strategies outside  
18    of PBIS. He was a very strong champion of PBIS, so  
19    it was a pretty limited focus and we tried to work  
20    to broaden that focus.

21          Q     And what ways would you -- what other  
22    initiatives would it be besides PBIS to broaden  
23    school climate?

24          A     I think it was more just seeing what  
25    programs and initiatives districts were investing

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
285

1 in, and some could be PBIS, some could be outside of  
2 PBIS, and meeting them where they were and helping  
3 them implement that program that they had identified  
4 versus a program specific from the State around  
5 school climate, which was PBIS at the time.

6 Q I see. So supporting efforts --

7 A Local strategies for school climate  
8 instead of just having one state strategy for school  
9 climate.

10 Q I understand. Was he receptive to that  
11 change?

12 A I would see no.

13 Q And why would you say no?

14 A He was just very invested in PBIS.

15 Q How did he express his not wanting to move  
16 away from PBIS?

17 A He didn't agree with the effectiveness of  
18 other strategies, and he also I think  
19 philosophically believed in more of a top-down  
20 approach.

21 Q Were you hearing from the school districts  
22 about their efforts to expand school climate outside  
23 of PBIS?

24 A Yes.

25 Q Did the superintendent have an opinion on

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
286

1 this?

2 A I think he supported a more holistic  
3 approach to school climate versus just the PBIS  
4 approach.

5 Q When you speak to the initiatives or  
6 strategies that the local school districts were  
7 using, did GaDOE take any steps to determine or see  
8 if those were evidence-based approaches?

9 A Some was more the focus. PBIS is more of  
10 a school level best practice, and we heard from a  
11 lot of stakeholders that teachers needed some direct  
12 support around what school climate looked like in  
13 their classroom, particularly classroom management.

14 So I think it was more the level we were  
15 pushing in, trying to broaden that, besides just the  
16 school level best practice and get some classroom  
17 level best practices, too.

18 PBIS just a school level intervention.

19 Q Right, but did GaDOE take any steps to  
20 ensure that -- to confirm whether the programs that  
21 the school districts were using were valid or  
22 evidence-based?

23 A We helped them evaluate that. There's  
24 different clearinghouses and stuff that school  
25 districts use as well. So I'm sure we played a role

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
287

1 in those discussions.

2 Q Did GaDOE provide any feedback expressing  
3 concern about any of the initiatives the local  
4 school districts were using?

5 MR. BELINFANTE: Object to the form.

6 A I'm not sure if those discussions took  
7 place.

8 Q Okay.

9 A But again we're very local controlled, so  
10 districts have a lot of leeway on what programs they  
11 adopt.

12 Q All right. Did Garry McGiboney's role at  
13 GaDOE shift before he retired?

14 A It did.

15 Q In what ways?

16 A He -- when the pandemic hit we thought it  
17 was important to have a position that liaised with  
18 the Department of Public Health in school districts,  
19 so we established a public health position, and he  
20 occupied that role.

21 Q At that time did he oversee school  
22 climate?

23 A He did not.

24 Q So PBIS as well?

25 A He did not oversee that at that time.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
288

1 MS. TUCKER: I'd like the court reporter  
2 to mark this document as Plaintiff's Exhibit  
3 838.

4 (WHEREUPON, Plaintiff's Exhibit-838 was  
5 marked for identification.)

6 BY MS. TUCKER:

7 Q This is an August 24, 2020 email produced  
8 by the State to us. It is from you, Matt Jones, to  
9 DOE Users, with the subject "Announcements."

10 There is one attachment.

11 And the Bates number on the bottom of the  
12 first page of the exhibit reads GA01004898.

13 Do you recognize this email, Mr. Jones?

14 A I do.

15 Q In the email you state that Dr. McGiboney  
16 will be assuming the new public health liaison role?

17 A That's correct.

18 Q And that's what you were just referring  
19 to?

20 A That's correct.

21 Q And that the school climate and PBIS team  
22 will shift to Dr. Caitlin Dooley?

23 A That's correct.

24 Q And what was her experience with school  
25 climate?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
289

1           A       It was more the experience of Justin Hill.  
2       So she had an opening for director of Curriculum and  
3       Instruction, and Justin had applied and been  
4       recommended for that and Justin's background was  
5       PBIS. So it was a natural fit to put that under him  
6       as well.

7           Q       Is Justin Hill still working on PBIS?

8           A       He is.

9           Q       And school climate?

10          A       Yes.

11          Q       What is his title currently?

12          A       Associate superintendent.

13          Q       Is he still reporting to Dr. Dooley?

14          A       No. He is over our Office of the Whole  
15       Child, that newer office that I mentioned earlier  
16       this morning.

17          Q       Right. A moment ago you said when the  
18       pandemic started you thought there was -- it was  
19       important to have a position to coordinate with the  
20       Department of Public Health?

21          A       That's correct.

22          Q       And did you make this decision to shift  
23       Garry McGiboney into the public health liaison role?

24          A       The superintendent did.

25          Q       The superintendent. And what prompted the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
290

1 superintendent's decision?

2 A Just as you can imagine how chaotic it was  
3 during that time, we thought it would be good for  
4 distribution to have a single point of contact from  
5 the public health side of things to reach out to the  
6 agencies, so they knew who to reach out to the  
7 agency. No one really wore that hat and he already  
8 had some established relations with those other  
9 agencies. So it seemed like a natural fit.

10 Q Did you discuss the shift in position with  
11 Garry McGiboney in advance of this announcement?

12 A Yes, I did.

13 Q What did he say?

14 A I think he had some concerns about it, but  
15 we reiterated that this is what we needed and this  
16 is what the superintendent was asking him to do.

17 Q When you say "we," who else was at the  
18 discussion?

19 A It was only between him and I, but when I  
20 mentioned "we," it was the superintendent.

21 Q I understand. And what were the concerns  
22 that he expressed to you?

23 A How much of the agency he was going to be  
24 overseeing. He wanted to have a larger role within  
25 the agency, and he thought this was not a path to

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
291

1 increase what he was over.

2 Q So he saw this as a more limited role?

3 A And I think he wanted -- he wanted a more  
4 expanded role, and I guess he did view this as a  
5 more limited role.

6 Q During that conversation with Garry  
7 McGiboney, when you advised him about the public  
8 health liaison role --

9 A Yes.

10 Q -- did you also share that he would no  
11 longer be overseeing school climate and PBIS?

12 A It was more specific about this needed to  
13 be like a full-time focus and position. With  
14 everything going on, there was plenty for this  
15 person to do and we didn't want the other items on  
16 his plate during this time.

17 So it wasn't just around PBIS or the other  
18 things he oversaw.

19 Q Did you identify that someone else would  
20 be taking over those responsibilities?

21 MR. BELINFANTE: Object to form.

22 A I'm not sure if that came up or not.

23 Q Okay.

24 A It was a pretty short decision.

25 Q I understand. After he took on the public

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
292

1 health liaison role, did he communicate any  
2 dissatisfaction with you?

3 A No.

4 Q Did he reach out to you about the role and  
5 wanting to discuss it?

6 A I don't -- I don't believe so.

7 Q Did Garry McGiboney express why he decided  
8 to leave GaDOE and retire?

9 A He did not.

10 Q Earlier you said that there was a desire  
11 to focus on practices that the local educational  
12 agencies were completing to improve school climate?

13 A That's correct.

14 Q Are those programs eligible for state  
15 funding?

16 A They would be, yes.

17 Q And Justin Hill is in favor of the local  
18 educational agencies expanding this role?

19 A Yes. I would say he has a more broader  
20 approach that's been there in the past.

21 Q Has PBIS practice -- have the PBIS  
22 practices changed in any other ways since Garry  
23 McGiboney has left?

24 A I think greater coordination with another  
25 large program, MTSS.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
293

1                   So that was another I think barrier under  
2                   Dr. McGiboney, as there wasn't a lot of  
3                   collaboration with other areas of the agency. So  
4                   under Justin there's been stronger collaboration  
5                   between those two groups.

6                   Q       Who oversees MTSS?

7                   A       He does now, but it was in a separate part  
8                   of the organization. Now it's been pulled together  
9                   so that that collaboration can strengthen. But even  
10                  before that restructure, he built a lot of  
11                  relationships between that team and his team.

12                  Q       And what is MTSS?

13                  A       Multitier systems of support.

14                  Q       And how does it -- how does it work with  
15                  PBIS? How does it --

16                  A       So it's --

17                         MR. BELINFANTE: Object to the form.

18                  A       In my opinion, it folds PBIS into a larger  
19                  framework. MTSS is academic and nonacademic  
20                  interventions and supports and how those things work  
21                  together to support students, and PBIS is more  
22                  strictly a behavioral approach. So it's one, one  
23                  part of that two-sided framework.

24                  Q       Thank you. Does Justin Hill work with the  
25                  regional GNETS programs related to MTSS and PBIS?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
294

1 A I'm sure there's some interaction but I  
2 don't know the extent.

3 Q Thank you.

4 Are you familiar with the term "inclusive  
5 practices"?

6 A I would not be. That seems to be pretty  
7 generic, so I have to have that one defined for me.

8 Q Have you heard the term "inclusive  
9 practice" in relation to students with disabilities?  
10 Have you heard that as a phrase?

11 A I have not.

12 Q Have you worked to advance the inclusion  
13 of students with disabilities in general education  
14 environments in Georgia?

15 A I believe so.

16 Q In what ways?

17 A There's a Universal Design for Learning.  
18 That's an approach that's supposed to make academic  
19 access broader for students with disabilities, and I  
20 know that's something that we've tried to champion  
21 across the agency in our curriculum team and also  
22 our assessment team.

23 And also high leverage practices that  
24 students with disabilities benefit -- benefit from.  
25 That's something we try to embed in all of our --

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
295

1 most of our instructional resources, that gen ed  
2 teachers receive as well.

3 Q High leverage practices?

4 A Yes.

5 Q You said there was a Universal Design for  
6 Learning?

7 A Yes.

8 Q Is that the name of it or are you  
9 referring to a design?

10 A That's the name of it.

11 Q Thank you for clarifying.

12 A No problem at all.

13 Q How long have you -- has GaDOE bean using  
14 this Universal Design for Learning?

15 A It was in place before I arrived in this  
16 position. We just continued to strengthen that as I  
17 am in this position.

18 Q Who oversees this?

19 A It falls in our Special Education Team but  
20 it's definitely something we embedded in other teams  
21 of the agency, like Teaching and Learning and  
22 Assessment.

23 Q And then the high leverage practice, who  
24 oversees that?

25 A That's in Special Education again, but

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
296

1 that's been a good collaboration between them,  
2 School Improvement, Teaching and Learning.

3 Q Have these been implemented in the  
4 regional GNETS programs as well?

5 A If they're using our resources, it's  
6 embedded in a lot of our resources.

7 Q Mr. Jones, I'm going to show you an  
8 exhibit that was previously introduced as  
9 Plaintiff's Exhibit 265.

10 MS. TUCKER: The copy, on the record, does  
11 not have a sticker, though, if you want to add  
12 it.

13 (WHEREUPON, Plaintiff's Exhibit-265 was  
14 previously marked for identification.)

15 (Discussion ensued off the record.)

16 BY MS. TUCKER:

17 Q Mr. Jones, this is a PDF document that's  
18 available online. It's called the "Inclusive  
19 Leadership Breakout."

20 Have you seen this document?

21 A I'm aware of the program. I'm not sure if  
22 I've seen this specific document before.

23 Q And what is this program?

24 A I just know it was supported by CCSSO,  
25 which is a professional organization for state



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
297

1 school superintendents, and then it had to do with  
2 special education and leadership.

3 That's the extent of my knowledge.

4 Q On the second page, do you see where it  
5 says, "Agenda, The Georgia Study and Case Study"?

6 A Yes.

7 Q With Zelfphine Smith-Dixon and Wina Low?

8 A Yes.

9 Q And then a panel conversation?

10 A Yes.

11 Q Did Zelfphine Smith-Dixon or Wina Low  
12 discuss this with you prior to presenting?

13 A I think, I think I knew they were  
14 attending but they didn't tell me the details of the  
15 event.

16 Q Did they tell you --

17 A Or what they -- the case study itself.

18 Q Did you ask questions related to it?

19 A I did not.

20 Q How did Georgia come to be involved in  
21 this initiative?

22 A We regularly receive invitations for lots  
23 of different things like that, like this, that CCSSO  
24 sponsors on a wide variety of topics.

25 Q Do you know if Georgia is still involved?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
298

1 A I don't believe we are still involved.

2 Q Do you know when participation ended?

3 A I think a year or two ago.

4 Q And why?

5 A I think it was -- one was the changing --  
6 Zelfphine was leaving. It was more something she  
7 personally pushed, and we wanted to give Wina Low,  
8 who became the new director, an opportunity to  
9 assess all the programs and initiatives that were  
10 going on and decide which one to continue and which  
11 ones not to continue. That was the primary reason.

12 Q Are there ways Georgia is still working to  
13 advance inclusive leadership?

14 A I'm sure there is.

15 Q Do you have an example?

16 A I don't know of any specific examples, but  
17 I'm sure it's taking place.

18 Q Thank you.

19 We spoke a little bit about DBHDD earlier.  
20 Do you recall that?

21 A I do.

22 Q And I believe you recalled one meeting  
23 related to the GNETS program and DBHDD?

24 A Yes. It came up in that meeting, but I  
25 believe I said it was either a new agency head or

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
299

1 the new chief of staff was coming into the role.

2 Q As chief of staff, how do you generally  
3 coordinate with DBHDD?

4 A Very limited coordination.

5 Q On what issues?

6 A I'm having a hard time thinking of issues  
7 that I directly coordinate with. Most of mine is  
8 specifically around the P20 organizations that I  
9 mentioned earlier, like the University System of  
10 Georgia, the Technical College, the Professional  
11 Standards Commission, DECAL.

12 Q Any standing meetings that you and DBHDD  
13 representatives both attend?

14 A Yes. There was one that I was a part of  
15 for -- I only went to two meetings, but a System of  
16 Care meeting. It involves probably 20 or 30  
17 agencies and organizations, and I know DBHDD is a  
18 part of that, but I have pretty limited involvement.

19 Like I said, I think I sat in on two  
20 meetings and identified a better person to sit in on  
21 those meetings.

22 Q Who is that person?

23 A Mary Lauren Salvatore.

24 Q What is her position?

25 A She's over Integrated Wellness at the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
300

1 department.

2 Q She's someone that reports directly to  
3 you?

4 A She reports to Justin Hill and Whole  
5 Child.

6 Q What is the System of Care?

7 A It's supposed to be better coordination  
8 across state agencies to support nonacademic care  
9 for families in the State.

10 Q Of the meetings you've attended with  
11 DBHDD, has DBHDD leadership attended?

12 A The one time there was, like I said, the  
13 agency head or the chief of staff. Other than that,  
14 no.

15 Q Can you remind me what was discussed  
16 during that one time?

17 A It was more of an introductory meeting.  
18 Hey, I just came onto this new role, let's  
19 strengthen our relationship, just wanted to make  
20 sure you know who the point of contact is. That  
21 type of thing.

22 It was more just an orientation  
23 relationship meeting than anything else. We didn't  
24 really get into specifics around anything.

25 Q Would you say the relationship has been

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
301

1 strengthened since that meeting?

2 A That person has moved on to another  
3 agency, so I would say it started off with a  
4 positive tone but did not last very long because  
5 there were some changes within that agency as well.

6 Q And their counterpart has not reached out  
7 again?

8 A That's correct.

9 Q And GaDOE has not reached out?

10 A I have not reached out.

11 Q Okay. During that meeting, the  
12 orientation get-to-know-you meeting, was there a  
13 discussion about providing mental health services to  
14 public school students?

15 A I believe so, yeah, at a very high level.

16 Q Was the Apex program discussed?

17 A Yes.

18 Q And what's the Apex program?

19 A A program through DBHDD where they work  
20 with local districts to identify mental health  
21 professionals to push into schools, to support  
22 students.

23 Q Does GaDOE generally collaborate with  
24 DBHDD on providing mental health services in  
25 schools?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
302

1 A It's a pretty limited collaboration.

2 Q And where would that collaboration happen?

3 A Um, between the office of the Whole Child  
4 recently and DBHDD.

5 Q What about with respect to Trauma Informed  
6 Care?

7 A Yeah, that could be another example as  
8 well.

9 Q Would that also be someone in the Whole  
10 Child Office?

11 A Yes.

12 Q What about Mental Health First Aid?

13 A Yes.

14 Q Same --

15 A That's the Whole Child as well, yes.

16 Q What about Project AWARE?

17 A Yes. Whole Child as well.

18 Q Any other mental health programs where  
19 there's collaboration between the agencies?

20 A I think Mental Health First Aid is another  
21 collaborative.

22 Q Any other?

23 A That's all that I can recall.

24 Q And why would you describe the  
25 collaboration as limited?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
303

1           A       I think it's just they've had a lot of  
2       churn in their agency. We've had some churn in our  
3       agency as well. So I think it's been difficult to  
4       form a steady footing for that collaboration to take  
5       place.

6                   I think we have good relationships, but I  
7       wouldn't say strong relationships, just because of  
8       the situation and the time that it takes to build  
9       those relationships.

10          Q       So just folks leaving and new folks coming  
11       in?

12          A       Yes.

13          Q       Does anyone in GaDOE collaborate with  
14       DBHDD related to GNETS?

15                   MR. BELINFANTE: Object to form.

16          A       I'm not sure if they do or not  
17       specifically to that program.

18          Q       When Nakeba Rahming was GNETS program  
19       manager, did she coordinate with DBHDD on GNETS?

20          A       I would assume there was some coordination  
21       given Clara Keith's role at DBHDD.

22          Q       Would you say it's important that DBHDD  
23       and GaDOE coordinate with respect to addressing the  
24       mental health needs of students in Georgia?

25                   MR. BELINFANTE: Object to form.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
304

1           A     I always think there's more room for  
2     better collaboration and coordination. I don't know  
3     if that's specifically. I would point out DBHDD as  
4     an area that I think we're charged to continually to  
5     grow relationships and strengthening collaboration,  
6     and I think DBHDD could be an example, or an area  
7     for us to focus on.

8           Q     Do you think there's a need to strengthen  
9     collaboration related to mental health services for  
10    students in Georgia?

11                   MR. BELINFANTE: Object to form.

12          A     I don't know if I -- I have the expertise  
13    to really weigh in on that, but I would see the  
14    primary charge of DBHDD is the mental health, so  
15    they should be the ones spearheading specifically  
16    those services because that's really their mission  
17    to do so.

18          Q     And your charge relates and GaDOE relates  
19    to students, right?

20          A     Or education. Primarily educational and  
21    instructional issues.

22          Q     What does GaDOE contribute toward  
23    addressing the mental health needs of students in  
24    Georgia?

25                   MR. BELINFANTE: Object to form.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
305

1           A       Investment in some programs. You  
2 mentioned some of those programs and we're a  
3 contributor of those.

4                   I would say our ten year -- the last eight  
5 years there's been more emphasis on mental health  
6 than nonacademic needs of wellness.

7                   The establishment of the Office of the  
8 Whole Child was really to show that we were focused  
9 on those nonacademic things because, quite frankly,  
10 the typical in education reviewed as the educational  
11 experts and not really supposed to be handling the  
12 other things. And so we wanted to kind of show that  
13 those other pieces matter, those nonacademic pieces  
14 matter, and so standing up that office and starting  
15 to coordinate some of the programs we already had on  
16 the books I think would also put us in a better  
17 position of forming relationships with external  
18 partners, because they would have one place to go to  
19 within the agency besides it kind of being piecemeal  
20 across the organizational structure.

21                   So that's something we've done over the  
22 last eight years.

23           Q       With the Whole Child Office, has there  
24 been increased funding related to the mental health  
25 needs of students within GaDOE?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
306

1 A Yes, I would say so.

2 Q Has there been guidance by GaDOE to the  
3 general education schools or all schools, public  
4 schools, let's say, related to mental health  
5 services for students?

6 A There --

7 MR. BELINFANTE: Object to form.

8 A I would say that the primary focus has  
9 been coordination and collaboration internally.  
10 Like I said, it was kind of fragmented across the  
11 agencies. So our focus has been pulling that  
12 together as one team.

13 Q And then where is this increased funding  
14 from?

15 A Different sources. State, federal.

16 Q And what is the funding used for?

17 A Mental health training, prevention  
18 training, employee assistance programs for all the  
19 teachers and education support staff in the State of  
20 Georgia.

21 So it covers a lot of different areas  
22 that's within wellness or mental health.

23 Q Is it important that students are able to  
24 access appropriate mental health services in their  
25 schools?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
307

1           A     I think it can't be on the schools to  
2     provide those services because, to my point -- to be  
3     the sole provider of those services because, to my  
4     point, there's lots of other entities and partners  
5     that their main mission is to provide those  
6     services.

7                     So it's important to pull them in and have  
8     additional resources to provide those services to  
9     students.

10           Q     Do you think there's any benefit of  
11     offering those services within the school?

12           A     I think that's something that definitely  
13     parents and families have to be involved with the  
14     decision-making of that.

15           Q     Can you think of any examples of this  
16     happening?

17           A     Yes, I can.

18           Q     Can you share?

19           A     The Apex program would be an example.

20                     MS. TUCKER: I'd like the court reporter  
21     to mark this document as Plaintiff's Exhibit  
22     839.

23                     (WHEREUPON, Plaintiff's Exhibit-839 was  
24     marked for identification.)  
25

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
308

1 BY MS. TUCKER:

2 Q This is a July 5th, 2016 email from Nakeba  
3 Rahming to you. The subject reads: "Trauma  
4 Informed Care Information," and there are three  
5 attachments.

6 The Bates number on the bottom of the  
7 first page of the document reads GA03468577.

8 Do you recognize this email, Mr. Jones?

9 A Yes, I do.

10 Q Let's look at Nakeba Rahming's first  
11 sentence.

12 Do you see where she wrote, quote: "Here  
13 are the documents that are guiding our planning for  
14 implementation" -- excuse me -- "for implementing an  
15 integrated approach for therapeutic and mental  
16 health support." The first sentence.

17 A Yes.

18 Q She is speaking about an integrated  
19 approach for the GNETS program, correct?

20 A I think it could be one that all, all  
21 districts take advantage of, all LEAs.

22 Q Looking at the bottom of the email, this  
23 was sent when she was the GNETS program manager?

24 A Yes.

25 Q Does that -- does your answer remain the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
309

1 same?

2 A I think it could have -- it could be used  
3 for all LEAs. Yes, I think it would be an option  
4 for LEAs.

5 Q Okay. You had directed her to look into  
6 this integrated approach?

7 A I had not.

8 Q Was this something she raised to you  
9 before she wrote this email?

10 A Not that I can remember.

11 Q And what is your understanding of the  
12 phrase "approach for therapeutic and mental health  
13 support"?

14 A Just I think trying to get competing  
15 service models and frameworks in a one service model  
16 and one framework. That's a challenge we have in  
17 education. We have lots of different programs.

18 Q So trying to integrate --

19 A Different programs and frameworks into  
20 one.

21 Q Different programs and frameworks based on  
22 therapeutic and mental health supports?

23 A Yes.

24 Q Looking at the second sentence, it reads:  
25 "We have attended the training, obtained significant

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
310

1 buy-in from the directors, and have been  
2 collaborating with DBHDD and GaDOE Project Aware  
3 team to support us with implementation."

4 Do you see that?

5 A I do.

6 Q Do you -- when she writes directors, who  
7 is she referring to?

8 A I would assume GNETS directors.

9 Q The regional program directors?

10 A Yes, that's correct.

11 Q So this was collaboration with DBHDD to  
12 provide integrated therapeutic and mental health  
13 supports within GNETS?

14 A That is correct.

15 Q With whom from DBHDD did you all work on  
16 this with?

17 A I'm not sure who she was working with on  
18 this.

19 Q Did it happen?

20 A Yes, I believe that program has continued.

21 Q And what program is that?

22 A The Trauma Informed Care.

23 Q It has continued within the regional GNETS  
24 programs?

25 A Yes, and other school districts in the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

311

1 State.

2 Q Her -- the sentence we just read also  
3 references GaDOE Project AWARE. What is that?

4 A Just a grant funded team, and Project  
5 AWARE is a mental health grant we received from the  
6 Federal Government.

7 Q And do you believe this integrated trauma  
8 informed care is ongoing in all regional GNETS  
9 programs?

10 A I believe it's happening in the State.  
11 I'm not sure what specific sites or what specific  
12 districts are using it.

13 MS. TUCKER: I'd like the court reporter  
14 to mark the following document as Plaintiff's  
15 Exhibit 840.

16 (WHEREUPON, Plaintiff's Exhibit-840 was  
17 marked for identification.)

18 BY MS. TUCKER:

19 Q Mr. Jones, this is a September 16, 2016  
20 email from Zelfphine Smith-Dixon to the K12 special  
21 education directors, and you and Deborah Gay are  
22 copied.

23 The subject reads: "Friday, September  
24 16th E-mail Blast," and there are three attachments.

25 The Bates number on the bottom of the

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
312

1 first page is GA0347306.

2 And this was produced to us by the State.

3 Do you recognize this email?

4 A Yes.

5 Q And when it was sent, the email says it  
6 was sent to the K12 Special Education Directors.

7 Does that mean -- what does that mean?

8 A All the special education directors in the  
9 State of Georgia.

10 Q Looking at the first line of her email, do  
11 you see where Zelphine Smith-Dixon wrote: "It was  
12 great seeing many of you at the LEA Collaborative  
13 GNETS Meeting, SELDA Meeting, and Parent Mentor  
14 Partnership Conference."

15 A Yes.

16 Q What is an LEA Collaborative GNETS  
17 Meeting?

18 A I believe it's similar to that regional  
19 meeting that I attended in Macon.

20 Q And how often are they held?

21 A I'm not sure of the frequency at this  
22 time.

23 Q And you've attended the one --

24 A Just the one.

25 Q Did you attend this one as well?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
313

1           A     I didn't. That's not the one. I did not  
2 attend that one.

3           Q     What is SELDA, S-E-L-D-A?

4           A     I believe it's a national technical  
5 assistance center, but I'm not sure.

6           Q     Okay.

7           A     I've not worked directly with them.

8           Q     And do you see where Zelfine Smith-Dixon  
9 continued: "Ms. Nakeba Rahming, GNETS Director, has  
10 shared the LEA Collaborative presentation, which is  
11 attached to the blast."

12          A     Yes.

13          Q     Okay. Let's turn to that attachment.  
14 It's the second attachment starting with Bates No.  
15 GA0347308.

16               MS. TUCKER: And for the record, like the  
17 other PowerPoints, this reads -- this has the  
18 wrong date in the left corner of the slides.  
19 It should be 9/12/2016.

20          A     Okay. And I did not open these  
21 attachments when I received this email.

22               MS. TUCKER: Josh, do you agree?

23               MR. BELINFANTE: I agree with that.

24               If you'll hang on one second, it looks  
25 like there's -- well -- all right. Nevermind.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
314

1 We're good.

2 MS. TUCKER: Okay.

3 BY MS. TUCKER:

4 Q So you did not open --

5 A I did not.

6 Q Have you seen this before?

7 A No. She sent these every Friday, so I  
8 didn't pay specific attention to these.

9 Q Let's actually turn to the second page.  
10 It says Welcome message from Matt Jones.  
11 I'm looking at the PowerPoint again with  
12 GA03473078.

13 A Okay.

14 Q Do you see it?

15 A Yes.

16 Q And it says: "Welcome to the LEA  
17 Collaborative"?

18 A So this is the one I attended.

19 Q This is the one?

20 A Yes. This was the slot that I had.

21 Q But you had not seen this before?  
22 Meeting?

23 A I only stayed for my part of that program,  
24 the very beginning, then I left. So I didn't have a  
25 sense of what the rest of the slide said.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
315

1 Q Okay. Well, let's still turn to the  
2 fourth slide, the page that ends in .004.

3 Do you see it?

4 A Yes.

5 Q Okay. And am I correct that this table  
6 represents GNETS Challenges Identified?

7 A From my few seconds looking at it --

8 Q Okay.

9 A -- I think it captures some, some  
10 identified issues.

11 Q Underneath Therapeutic Services, do you  
12 see where it reads: "Therapeutic services allegedly  
13 available in GNETS regions are often not readily  
14 available."

15 A I do see that.

16 Q Do you agree that was an identified  
17 challenge that you -- do you agree that's an  
18 identified challenge?

19 MR. BELINFANTE: Object to form.

20 A I would need to -- I mean to me this kind  
21 of goes back to the evaluation Nakeba did on the  
22 staffing and the follow-up discussions from that,  
23 and where that is on the timeline with this point.

24 Q Okay. Had you heard outside of this  
25 document or today that there were concerns about

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
316

1 therapeutic services being available in the GNETS  
2 program?

3 MR. BELINFANTE: Object to form.

4 A I heard there were opportunities for those  
5 to be enhanced in the program.

6 Q Let's turn to the slide, the seventh  
7 slide, so ending in .007.

8 Let me know when you're there.

9 A Yes.

10 Q Okay. And you agree with me that the top  
11 of the slide reads "State Level Solutions"?

12 A Yes.

13 Q Under Therapeutic Services, do you see  
14 where it reads: "The Department of Behavior Health  
15 and Developmental Disabilities (DBHDD) and the  
16 Georgia Department of Education collaborative  
17 planning meetings"?

18 A Yes.

19 Q And are you aware of what those meetings  
20 -- or how often those meetings were happening?

21 A Not how often but I knew they were taking  
22 place.

23 Q Okay. And who attended?

24 A I would assume Nakeba from our end  
25 attended that. Probably other staff members that

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
317

1 were involved maybe in Project AWARE and some other  
2 related initiatives, and I'm not sure who attended  
3 from DBHDD.

4 Q Okay. Were any questions stemming from  
5 those meetings raised to you?

6 A No. Just the -- those conversations -- or  
7 discussions were occurring.

8 MS. TUCKER: I'd like the court reporter  
9 to mark the following document as Plaintiff's  
10 Exhibit 841.

11 (WHEREUPON, Plaintiff's Exhibit-841 was  
12 marked for identification.)

13 BY MS. TUCKER:

14 Q This is a June 9, 2020 email from Ashley  
15 Harris to Stacey Suber-Drake and you're copied.

16 The exhibit reads "DBHDD Contract," and  
17 there are two attachments

18 The Bates number on the first page of  
19 document is GA03545055.

20 A Yes.

21 Q Do you recognize this email?

22 A I do.

23 Q Who is Ashley Harris?

24 A She was over the Office of the Whole Child  
25 before Justin assumed that position.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
318

1 Q Did her position -- how did her position  
2 work with the GNETS program?

3 A She was just over coordinating nonacademic  
4 support. So I guess that would be the tie-in with  
5 the GNETS program.

6 Q Am I correct this email and the attachment  
7 relate to a jointly funded position with GaDOE and  
8 DBHDD?

9 A Yes.

10 Q What was the reason for this role?

11 A I believe she had the idea as an  
12 opportunity to strengthen the relationship between  
13 the two agencies. So this was a way for us to  
14 provide funding in a position that could liaison  
15 between our agency and DBHDD.

16 Q And by she, you mean Ashley Harris?

17 A That's correct.

18 Q Did you concur with her thoughts to  
19 strengthen the relationship?

20 A I supported it.

21 Q And who was hired for this joint position?

22 A I believe it was Monique. I can't  
23 remember her name specifically.

24 Q Is she still --

25 A Yeah, Monique -- Monica Johnson. I

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
319

1 apologize.

2 Q It says Monica Johnson is the director of  
3 the Division of Behavioral Health?

4 A I think she -- I'm trying to remember the  
5 dynamics, that we supported -- I think maybe it was  
6 a Monique. Maybe it sounded like Monica. I  
7 apologize for that.

8 Q Does Layla Fitzgerald sound familiar?

9 A Yes. My apology. It was Layla.

10 Q No problem.

11 A Hard enough with the DOE names, now you're  
12 quizzing me on DBHDD's.

13 Q Understood.

14 Did Layla Fitzgerald work on GNETS?

15 A I'm not sure if she worked specifically  
16 with GNETS. I know there was just coordination  
17 between her and DBHDD and Ashley.

18 Q Do you recall any discussions surrounding  
19 whether Layla Fitzgerald should work on GNETS?

20 A I don't recall any decisions.

21 Q If you turn to Part D of -- let me find  
22 the page. One second.

23 If you go to Attachment 3, the Bates  
24 number reads GA03545064.

25 Do you see that page?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
320

1 A Yes.

2 Q Looking to Part D under responsibilities  
3 for this position, being the jointly funded  
4 position, do you see that?

5 A Yes.

6 Q Do you see where the third bullet reads  
7 "Identifying gaps, organize and facilitate training  
8 for support for schools, districts in the GNETS  
9 Programs"?

10 A I do.

11 Q Do you understand that is happening?

12 A I believe so. I don't know when this  
13 contract expired.

14 Q Is it expired?

15 A June 30th, 2021.

16 Q Is Layla Fitzgerald still working with  
17 you, with GaDOE?

18 A I believe so.

19 Q So would that be under a new contract?

20 A I believe so.

21 Q And are you saying you're not sure if her  
22 responsibilities changed?

23 A That's correct.

24 Q But in the past, this was part of her  
25 responsibilities?



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
321

1 A Yes, during this time period.

2 Q Did -- earlier we spoke a little bit about  
3 the Georgia Apex program?

4 A Yes.

5 Q What is your understanding of why it was  
6 created?

7 A Um, it was created before I arrived in  
8 this position, and my understanding is just it had  
9 support from the Governor. He's increased the  
10 amount of funding in his budget, and that's really  
11 my understanding of the program.

12 Q How did you learn of the program?

13 A Really initially I had heard about it but  
14 it really came on my radar when the Governor's  
15 proposal to increase funding for the program,  
16 because of course we were getting questions from  
17 districts about what this would mean. So I tried to  
18 learn a little bit more about the program at that  
19 point.

20 Q And when was that?

21 A Probably four years ago.

22 Q And do you agree that the Apex program  
23 provides school-based mental health services to  
24 students in Georgia public schools?

25 A That's my understanding.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
322

1 Q And do you agree that DBHDD is the Georgia  
2 State agency with the primary responsibility over  
3 the Apex program?

4 A Yes.

5 Q How do the Apex services and supports get  
6 into the schools?

7 A I don't have that knowledge. They work  
8 directly with the school systems. We're not  
9 involved in that process.

10 Q Would you agree with me the program  
11 involves a partnership between a Community Service  
12 Board and the school?

13 MR. BELINFANTE: Object to the form.

14 A I don't know that specifically.

15 Q Have you heard -- or do you have an  
16 opinion whether Apex is an effective program?

17 A The district seems supportive when the  
18 funding announcement came. The only other key  
19 feedback I received is just a challenge of finding  
20 professionals to fill those roles.

21 Q And are the districts that were -- did you  
22 hear directly from the districts?

23 A Yes.

24 Q From which districts?

25 A I can't recall what specific districts.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
323

1 Q Does it help children to have access to  
2 mental health services in their schools and  
3 communities?

4 A I think it's a positive when done  
5 correctly.

6 Q Have you heard that the Apex --  
7 MS. TUCKER: Scratch that.

8 BY MS. TUCKER:

9 Q Are you aware that Georgia receives  
10 federal funding through a mental health -- for  
11 mental health services through a Substance Abuse and  
12 Mental Health Services Administration grant?

13 MR. BELINFANTE: Object to form.

14 A I've heard of receiving grant funds but I  
15 don't know the specific names of the grants.

16 Q What is your understanding of GaDOE's role  
17 with respect to Apex program?

18 A I view it as a primary program from DBHDD,  
19 that they run and administer the program. For us  
20 it's more informational. So if we get questions  
21 about the program, we can answer high level  
22 questions, but its owned by the department, DBHDD.

23 Q Is there an Apex contact that you -- that  
24 the agency routes questions to?

25 A Not at my level. Not that I know of.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
324

1 Q What is the target population for the Apex  
2 program?

3 A I'm not sure what the target population  
4 is.

5 Q Would you agree that DBHDD does not allow  
6 Apex services to be provided in the GNETS centers  
7 within the regional GNETS programs?

8 A I wouldn't know if they do or they don't.

9 Q That's not something you've heard?

10 A That's not something I've heard.

11 Q Have you provided any input related to  
12 Apex and GNETS centers?

13 A No. The only input I provided is just the  
14 feedback we've heard around the difficulty in  
15 finding professionals for those positions. Because  
16 that's the only feedback we've received.

17 Q Are the services available through Apex  
18 also available in the regional GNETS programs?

19 A I'm not sure if they are or not.

20 Q Do you think that GNETS students could  
21 benefit from Apex services?

22 MR. BELINFANTE: Object to form.

23 A I think students can benefit from mental  
24 health supports and services, but I know don't know  
25 enough about the Apex program specifically to judge

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
325

1 that program and it's effectiveness.

2 Q Are you aware the Apex program requires  
3 its providers to provide evidence-based mental  
4 health services?

5 A No.

6 Q Do regional GNETS programs require  
7 providers to provide evidence-based mental health  
8 services?

9 A I'm not sure if they do.

10 Q Are you aware the Apex program provides  
11 mental health services during the summer?

12 A I'm not aware of that.

13 Q Is there an importance to continuing  
14 services through the summer for students with EBD?

15 A I'm not an expert in that. I would have  
16 to learn more about that.

17 Q Does GNETS provide mental health services  
18 during the summer?

19 A I'm not sure if they do.

20 Q Do you know if GNETS coordinates mental  
21 health services for students during the summer?

22 MR. BELINFANTE: Object to form.

23 A I'm not sure if they do.

24 MS. TUCKER: I'd like the court reporter  
25 to mark the following document as Plaintiff's

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
326

1 Exhibits 842.

2 (WHEREUPON, Plaintiff's Exhibit-842 was  
3 marked for identification.)

4 BY MS. TUCKER:

5 Q This is a July 31st, 2018 email thread  
6 between Gary Wenzel and you. This was produced to  
7 us by the State.

8 The subject reads: "Georgia School  
9 Superintendent's Teacher Advisory Council scheduling  
10 a meeting at the Georgia Aquarium."

11 The Bates number on the bottom of the  
12 first page reads GA03512298.

13 Do you recognize this email thread?

14 A I do.

15 Q Who is Gary Wenzel?

16 A He's currently part of our rural education  
17 team.

18 Q And what position did he hold at the time  
19 of this email?

20 A He was, I believe, in School Improvement.

21 Q And when did he make the change to the  
22 rural education team?

23 A A year ago when that office was created.

24 Q And is Gary Wenzel a direct report to you  
25 currently?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
327

1 A He is not.

2 Q Was he at this time of this email?

3 A No, he wasn't.

4 Q Let's look at his email dated July 27,  
5 2018, sent at 5:41 p.m.

6 Do you see it?

7 A Yes.

8 Q Okay. Look to No. 2.

9 Do you see where Gary Wenzel writes:

10 "Georgia's alternative schools reconceptualization -  
11 I have researched other states -- Colorado and  
12 Minnesota have in place area learning centers  
13 equivalent to our GNETS - if this is a viable  
14 direction in your estimation I will gather more  
15 information and work up a perspective to consider  
16 the pros and cons."

17 Do you see that?

18 A I do.

19 Q Did you ask Gary Wenzel to do research on  
20 other states?

21 A I did not.

22 Q Okay. Do you know why Gary Wenzel did  
23 this research and sent it to you?

24 A Gary is a great guy but he takes things  
25 and runs with them sometimes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
328

1 Q Did you ask him why he sent this point to  
2 you?

3 A You kind of get used to it with Gary. So,  
4 no, it didn't come up in a specific conversation on  
5 why he chased that specific thing down.

6 That explains the next page with the fish,  
7 just as flare.

8 Q Understood.

9 So in the email with the No. 2, he writes  
10 that he was looking at alternative schools  
11 reconceptualization?

12 A Yeah.

13 Q And what did that mean?

14 A He had heard -- the superintendent, one of  
15 his experiences was head of an alternative school  
16 and he had heard the superintendent express some  
17 interest in that -- those schools and that model,  
18 and he kind of took that and ran with it.

19 Q Would that fall under the Office of School  
20 Improvement where he sat?

21 A Yes.

22 Q Alternative schools.

23 And he mentions GNETS, right?

24 A Yes.

25 Q Would you classify GNETS as an alternative



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
329

1 school?

2 A No.

3 Q How would you characterize GNETS?

4 A As a program, and that's centrally  
5 services that are provided.

6 Q And what are the area learning centers he  
7 refers to?

8 A I'm not sure.

9 Q And he said that if it was a viable  
10 direction, he would do more research, correct?

11 A That's correct.

12 Q Did he do more research?

13 A I don't believe he did. None was shared  
14 with me.

15 Q Let's look at your reply sent on July  
16 31st, 2018, at 3:57 p.m.

17 A Yes.

18 Q Do you see where you write: "Reach out to  
19 Geri"?

20 A Yes.

21 Q And this says there's a No. 2 before it?

22 A Yes.

23 Q So was that your response to his Georgia  
24 alternative schools reconceptualization?

25 A I think it was not really giving him a

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
330

1 response to that. I was really focused on his  
2 sign-off with let's do lunch and I was just agreeing  
3 to do lunch.

4 Q And who's Geri?

5 A Geri is the administrative assistant. So  
6 I was asking her to schedule us a lunch because he  
7 left the email, let's do lunch.

8 Q During that lunch did he discuss his  
9 Georgia alternative school reconceptualization  
10 research?

11 A Not that I can recall. It had -- from my  
12 understanding, it had mostly to do with the Teacher  
13 Advisory Council, because that was what was coming  
14 up, and Celeta Thomas, who he was a friend with,  
15 talking about her.

16 I don't think we got to No. 2 at that  
17 lunch.

18 Q Did you --

19 A He can be a little chatty.

20 Q Did you follow up with any questions in  
21 the future?

22 A I did not.

23 Q And he did not raise this again?

24 A He did not.

25 Q Are you aware of other states with

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
331

1 programs comparable to GNETS?

2 A I'm not -- all I have to go on is I guess  
3 what Gary mentions here, and also I know the  
4 communication Nakeba shared when she was doing an  
5 evaluation as well.

6 Q With Gary's email here, he was looking at  
7 other alternative schools?

8 A I'm not sure if he was looking at those or  
9 -- he says equivalent to our GNETS. So I'm not sure  
10 if he was looking at alternative schools or what he  
11 felt like was GNETS programs in other states.

12 Q And you didn't correct him that GNETS was  
13 not an alternative school?

14 A I just skipped over No. 2 and went for the  
15 lunch.

16 Q I hope it was good.

17 A It was, it was something.

18 Q Mr. Jones, are you familiar with the  
19 Atlanta-Journal Constitution doing a series of  
20 articles related to the GNETS program?

21 A I am.

22 Q What did you think of those articles?

23 A I can't say I had a strong opinion one way  
24 or the other. I mean my opinion, most of these  
25 articles like to grab audiences. So that was

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
332

1 probably my opinion with those specific articles.

2 Q With reading those articles, did you have  
3 any concerns from the contents?

4 A I didn't -- I don't remember really  
5 digging into them. I saw the headline and just kind  
6 of kept, kept on from there. So I know there was  
7 articles about the GNETS programs. I might have  
8 skimmed maybe the first one.

9 I think there were multiple articles, but  
10 I kind of had an understanding of where the AJC was  
11 going, so I didn't feel -- it wasn't -- I didn't  
12 dive deeper after that point.

13 MS. TUCKER: This is going to be  
14 Plaintiff's Exhibit 843.

15 (WHEREUPON, Plaintiff's Exhibit-843 was  
16 marked for identification.)

17 BY MS. TUCKER:

18 Q The Bates number on the bottom document  
19 reads GA03463029?

20 A Yes.

21 Q This is an August 7, 2015 email with you  
22 and Kenney Moore with the subject "programming."

23 MR. BELINFANTE: Can I get a copy?

24 MS. TUCKER: I apologize.

25 I will reintroduce it.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
333

1 Q It's an August 7, 2015 email thread  
2 between you and Kenney Moore with the subject  
3 "programming."

4 The Bates number on the bottom of the  
5 document reads GA03463029.

6 This was produced to us by the State.  
7 Mr. Jones, do you recognize this email?

8 A I do.

9 Q Who is Kenney Moore?

10 A He's our director at the State Schools.

11 Q And what does that division do?

12 A They support students that are blind and  
13 deaf.

14 Q Look at the bottom email from Kenney  
15 Moore, and do you see in the first sentence where he  
16 asks you to chat next week about the potential legal  
17 issues with the GNETS student segregation issue?

18 A Yes.

19 Q And he then continues, he wants to chat  
20 about the potential unattended consequences for the  
21 State Schools?

22 A Yes.

23 Q Did you speak to Kenney Moore?

24 A Um, possibly. I can't remember if we  
25 actually had a meeting because I think -- I think we

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
334

1 had a brief discussion after I received this, that I  
2 didn't see how the two were connected, and I didn't,  
3 I didn't share his concerns. So I'm not sure if  
4 that materialized into a meeting after that  
5 discussion.

6 Q And what -- what were his concerns?

7 A Under the State Schools get to be seen as  
8 -- essentially what he talked in the email, that he  
9 was afraid that the State Schools could be labeled a  
10 certain way.

11 Q Do you see where you say I suggest we pull  
12 in Jennifer?

13 A Yes. I'm trying to recall who Jennifer  
14 is.

15 Q That was my next question.

16 A I don't know who a Jennifer is.

17 Q Do recall whether you, Jennifer, and  
18 Kenney Moore met?

19 A I don't recall that.

20 MS. TUCKER: Can we take a quick break.

21 MR. BELINFANTE: Sure.

22 MS. TUCKER: Thank you.

23 THE VIDEOGRAPHER: Off the record at 5:18

24 p.m.

25 (A recess was taken.)

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
335

1 THE VIDEOGRAPHER: Back on the record at  
2 5:42 p.m.

3 BY MS. TUCKER:

4 Q Earlier we were speaking about graduation  
5 rates in GNETS --

6 A Yes.

7 Q -- and the 2010 audit, correct?

8 A Correct.

9 Q Have graduate rates in the GNETS programs  
10 improved since 2010?

11 A I'm not sure.

12 Q Is this something that you've looked into?

13 A I've not looked into that.

14 Q Earlier you expressed concerns about the  
15 comparative population in the audit?

16 A That's correct.

17 Q Has GaDOE considered pulling out data to  
18 compare graduate rates for GNETS students with a  
19 population that you believe is more appropriate?

20 A We have not done that.

21 Q So you had concerns about this in the 2010  
22 audit but did not take steps to identify the  
23 appropriate comparator?

24 A I wasn't there in 2010, so I felt like  
25 that part had been settled before I arrived.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
336

1 Q I understand, but when you read the audit  
2 and had those concerns, you didn't take steps after?

3 A That's correct.

4 Q Earlier you referred to some churn at  
5 DBHDD and GaDOE. Do you remember that?

6 A I do.

7 Q And I'm confirming that you meant -- by  
8 churn you meant employee turnover?

9 A That's correct.

10 Q And when you refer to churn at DBHDD,  
11 which positions are you referring to?

12 A I don't know specific positions. That was  
13 just the feedback I heard from my Secretary of  
14 State's Office. There had been a lot of changes  
15 within that agency.

16 Q Which staff?

17 A I think some changes at the top level with  
18 leadership, and also some changes at the program  
19 level with people they were working with.

20 Q Was there a turnover in the DBHDD  
21 commissioner position?

22 A I believe so.

23 Q What about the head of Behavioral Health  
24 Services within DBHDD?

25 A Possibly.



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
337

1 Q What about the head of the Office of Child  
2 Young, Adults and Families?

3 A Possibly.

4 Q So were you not referring to specific  
5 churn then?

6 A No. Just a trend overall and how it was  
7 impacting the work in the department, from what I  
8 was hearing from staff at the department.

9 Q So by saying possibly, does that mean  
10 you're not sure to those answers?

11 A I'm not sure about the specific positions,  
12 but overall I think there was a trend of people  
13 coming in and out of that agency.

14 Q And who in GaDOE expressed these churn  
15 comments to you?

16 A Ashley Harris did, and also I believe  
17 Justin Hill also expressed that as well.

18 Q And Justin Hill is head of the Office of  
19 the Whole Child now?

20 A That's correct.

21 Q And what is the scope of that office?

22 A As I mentioned earlier, really nonacademic  
23 supports that existed within the agency, trying to  
24 pull it up within one umbrella within the  
25 organization for better collaboration and

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
338

1 coordination.

2 Q So what type of nonacademic supports?

3 A School climate and safety, wellness,  
4 mental health. Those types of supports.

5 Q How big is his team?

6 A It's a fairly large team. I would say  
7 that there's probably 70 to 80 staff members.

8 Q That is large.

9 You said there was turnover into the DBHDD  
10 commissioner position?

11 A I believe there was, yeah.

12 Q Which commissioner?

13 A I don't know the specific commissioner. I  
14 think there had been a commissioner there for quite  
15 a long time and then there was a change in  
16 leadership.

17 Q And what was the basis for your belief?

18 A I just remember seeing a press release or  
19 announcement from the Governor's Office there had  
20 been a retirement and change in the appointment to a  
21 high level appointment at DBHDD.

22 Q And what time period was this?

23 A I believe there's been multiple changes.  
24 I don't know at the commissioner level, but I would  
25 say there's probably been one change within the last

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
339

1 -- between now and the pandemic, and there was  
2 probably another change before the pandemic.

3 Q So two changes that --

4 A That I -- that I can recall.

5 Q And I'll just repeat that.

6 Two changes during your time as chief of  
7 staff that you can recall?

8 A Yes.

9 Q Are you familiar with any SAMHSA grant  
10 held by the State related to mental health services  
11 for children and adolescents?

12 A Yes, I'm aware of those.

13 Q Which ones are you aware of?

14 A I know we have multiple SAMHSA grants that  
15 deal with that, and that's the extent of my  
16 knowledge of the grants.

17 Q And by "we," do you mean GaDOE?

18 A Yes.

19 Q You don't know which grants or what they  
20 do?

21 A I do not.

22 Q Who would?

23 A Likely someone on our Special Education  
24 Team. Now, it could be on the Office of Whole Child  
25 because that just changed very recently.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
340

1 Q But you believe that -- or you -- GaDOE  
2 does receive funding from SAMHSA?

3 A Yes.

4 Q In the course of your position, just from  
5 today, it sounds like people send you a lot of  
6 emails to keep you posted?

7 A Yes, that's correct.

8 Q Correct? And keep you in the loop.

9 Is it fair to say that you would express  
10 concerns if you had them after reading those emails?

11 MR. BELINFANTE: Object to form.

12 A Not necessarily. I think concerns are  
13 more raised directly from them. Like explicitly  
14 stated in the email or when we do a check-in or if  
15 they reach out proactively to me. Other than that,  
16 it's more informational purposes and I treat it as  
17 such.

18 Q I understand. If you had a concern from  
19 reading an informational email, would you then write  
20 back saying your concern or providing your feedback  
21 if you were sent it as an FYI?

22 MR. BELINFANTE: Object to form.

23 A I think I would try to, but the sheer  
24 volume of emails I receive and information I  
25 receive, I don't think that that's a practice that I

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023

341

1 consistently apply.

2 Q Is it your staff's assumption that they  
3 provided, you know, an update to you as an FYI and  
4 you don't respond that you don't have a concern?

5 A I think that could be partial  
6 interpretation. I also think they also know the  
7 volume of information I receive. So that -- like I  
8 say, there's other avenues they use to explicitly  
9 express a concern. And so I think that's an  
10 acknowledgment than just sharing an email. They  
11 have to do a little bit more than that to share a  
12 concern with me.

13 Q What are those other avenues?

14 A Bring an issue up in a regular check-in or  
15 proactively reach out, or reach out to me directly  
16 and raise a concern.

17 Q And those are the one-on-one check-ins?

18 A Yes. Or a phone call or explicit email  
19 with an ask or request in it.

20 Q Are you satisfied with the GNETS program?

21 MR. BELIFANTE: Object to form.

22 A I always like continuous improvement  
23 across the board. I think if you talk to anyone I  
24 supervise, I continue to push them and push all our  
25 programs. I never feel like where something is is

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
342

1 where it needs to stay.

2 I feel like part of my job is to try to  
3 make something the best it can be across the board,  
4 and so to me that -- I don't think any program is at  
5 the highest point it can be. I want to continue to  
6 push it in this role and make it the best that it  
7 can be.

8 Q So you're saying that all programs can be  
9 improved?

10 A A hundred percent.

11 Q How could the GNETS program be improved?

12 A I would have to think through that a  
13 little bit. I would also want to talk to our  
14 content experts, because I also have a belief that  
15 they're with a program 24/7, so to speak, and so  
16 it's important to get -- I have a very high level  
17 view but they have the day-to-day view of things.

18 So having an idea of their thoughts and  
19 feedback, and then kind of my position would be  
20 based heavily on the people that are closest to the  
21 work around a specific program.

22 Q What about when you were at the Cedarwood  
23 Regional GNETS program, was there any area for  
24 improvements from your day to day there that you  
25 would recommend?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
343

1 A Not that I witnessed firsthand.

2 Q So you thought the program was doing a  
3 great job, no need for improvements?

4 MR. BELINFANTE: Object to form.

5 A Not at that time. I don't recall thinking  
6 of any specific improvements to the program.

7 Q Would you call the GNETS program  
8 successful?

9 MR. BELINFANTE: Object to form.

10 A Gauging conversations that I had  
11 specifically during that time, when I was working  
12 with the program and what I saw from the teachers  
13 and support staff, and even conversations with the  
14 program, I would say it was successful.

15 Q The Cedarwood Regional GNETS program?

16 A Yes.

17 Q What about the GNETS program as a whole  
18 right now?

19 A I haven't had that level experience with  
20 all the sites or programs, so I don't know if I could  
21 make that type of judgment.

22 Q What about when -- in 2016, when Nakeba  
23 Rahming joined, when you were more deeply involved  
24 with the GNETS program, would you consider the GNETS  
25 program at that time successful?

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
344

1           A     I feel like there were areas that were  
2     being effective. I think, too, what I mentioned,  
3     there's always areas of improvement, and it seemed  
4     like Nakeba was putting together a plan to support  
5     that continuous improvement.

6           Q     And would that be the Project Management  
7     Plan we looked at earlier?

8           A     That was part of that.

9           Q     And what improvements did you identify at  
10    that time?

11          A     I think she identified those four areas  
12    that were on the plan. So I would be supportive --  
13    I was supportive at that point for those to be the  
14    focus areas of improving the program.

15          Q     And what were those four areas?

16          A     I would have to reference that. I think  
17    facilities was one, instructional, therapeutic  
18    supports, and I think there was another area.

19          Q     What is your current plan for the GNETS  
20    program in the future?

21               MR. BELINFANTE: Object to form.

22          A     I think again that would be conversation  
23    that I would want to have with our staff that's more  
24    directly involved with that and getting input from  
25    them, GNETS directors and other stakeholders on how



WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
345

1 to move forward.

2 I do think that anything -- it's good to  
3 periodically look at what's going on and refresh  
4 that to look to the future. So I think definitely  
5 want to make sure the GNETS program, like other  
6 programs, are on that sort of cycle, where we're  
7 evaluating where we are, where we need to be.

8 But my personal philosophy is that's not a  
9 Matt Jones or Superintendent Woods. That's a path  
10 that has to be charted by people that are impacted  
11 by the work directly.

12 Q So who would that be?

13 A Our staff members: Vickie; Shaun, who's  
14 over Federal Programs; especially the GNETS  
15 directors; families; other mental health providers.

16 So whoever touches that program or crosses  
17 with that program, I think trying to pull them  
18 together and figure out a path going forward.

19 Q So am I correct in what you just said,  
20 that you would wait for that to be brought to you?

21 A Yes.

22 Q Is it something that you would talk to  
23 Shaun Owen about during her one-on-one's as an area  
24 to look into?

25 A That's typically something that's

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
346

1 initiated from their level up versus my level.

2 Q Do you anticipate the need for any changes  
3 in the near future?

4 A That would be something I would have to  
5 have a discussion with Shaun and Vickie about.

6 Q And have you discussed this with Shaun or  
7 Vickie in the last two years?

8 A Nothing outside of those four buckets. I  
9 would say most of those discussions have stayed with  
10 the four -- those four key areas that were  
11 identified by Nakeba.

12 Q A moment ago we spoke about the AJC  
13 article series related to the GNETS program?

14 A Yes.

15 Q Are you also familiar with a 2017 Atlantic  
16 article about the GNETS program?

17 A I believe so.

18 Q What about a New Yorker article about the  
19 GNETS program?

20 A Possibly. I think I remember -- when you  
21 say Atlantic, I couldn't remember if it was the  
22 Atlantic or the New Yorker, so it could be both.

23 Q Did you read those articles?

24 A I remember I think reading one of those  
25 articles.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
347

1 Q Do you recall which one?

2 A No.

3 Q Do you recall if you had any concerns  
4 after reading the articles that you read?

5 MR. BELINFANTE: Object to form.

6 A I can't think of any specific concerns.

7 Q Did anyone in the Governor's Office reach  
8 out to GaDOE about the Atlantic article?

9 A None of them reached out to me directly.  
10 I'm not aware of any of them reaching out to anyone  
11 else on our staff from the Governor's Office.

12 Q How about any member of the state  
13 legislature?

14 A Reaching out to me directly about one of  
15 the articles?

16 Q Uh-hum.

17 A I can't -- I don't remember a legislator  
18 reaching out about the article.

19 Q How about reaching out to someone else at  
20 GaDOE and then you were alerted?

21 A Not that I remember.

22 Q Did anyone in the regional GNETS programs  
23 reach out to you about any of the articles?

24 A There was some chat around the articles,  
25 but I don't remember any reaching out to me directly

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIAJanuary 10, 2023  
348

1 about articles. I think I heard that kind of -- it  
2 was more hearsay or hearing from someone else who  
3 heard it from someone else versus hearing from  
4 someone directly about the articles.

5 Q And who did you hear this from?

6 A Probably, and I'm not sure, it could have  
7 been Vickie or Shaun or Nakeba, whoever was in those  
8 roles at the time.

9 Q Do you recall any of the concerns they  
10 raised from the articles?

11 A They essentially just said that the  
12 articles were out there and people were having  
13 questions and had their own concerns more about the  
14 perception of the program and questions it was going  
15 to generate for them, at the local level.

16 Q Did GaDOE provide any guidance to the  
17 regional GNETS programs following the articles and  
18 how they should respond to the public?

19 A No, not that I'm aware of.

20 Q Did GaDOE take any actions in response to  
21 the Atlantic article?

22 MR. BELINFANTE: Object to form.

23 A I can't remember specifically. I think  
24 most of the articles were viewed mostly at a local  
25 level lens of even though the programs were lumped

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
349

1 together, it was more what was happening locally  
2 versus something that was occurring at the State  
3 level.

4 Q So no steps were taken following the  
5 articles, related to the articles?

6 MR. BELINFANTE: Object to form.

7 A There could have been some discussions  
8 around the articles but none that I can recall  
9 specifically.

10 One of those could be the one -- the email  
11 with Kenney. I'm not sure we had a meeting on that  
12 or something else following that specifically.

13 Q Are you familiar with the AWARE SAMHSA  
14 grant?

15 A Project AWARE, yes.

16 Q Are you familiar with the Mental Health  
17 Community Block grant?

18 A I'm not as aware. I've heard of that  
19 grant but I don't know as much about it as the  
20 Project AWARE.

21 Q How about the AIME SAMHSA grant?

22 A I'm not aware of that grant.

23 Q For the Project AWARE grant, GaDOE  
24 receives funding?

25 A Yes.

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
350

1 Q The Mental Health Community Block grant,  
2 does GaDOE receive funding?

3 A I'm not sure.

4 Q And the other one you weren't aware of?

5 A Yes.

6 MS. TUCKER: Thank you.

7 THE WITNESS: Thank you.

8 MR. BELINFANTE: No questions.

9 THE VIDEOGRAPHER: We're off the record at  
10 5:59 p.m.

11 (Whereupon, the deposition concluded at  
12 5:59 p.m.)  
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WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
351

C E R T I F I C A T E

STATE OF GEORGIA:

FULTON COUNTY:

I hereby certify that the foregoing transcript of WILLIAM MATTHEW JONES was taken down, as stated in the caption, and the questions and answers thereto were reduced by stenographic means under my direction;

That the foregoing Pages 1 through 350 represent a true and correct transcript of the evidence given upon said hearing;

And I further certify that I am not of kin or counsel to the parties in this case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 16th day of January, 2023.

*Wanda L. Robinson*

Wanda L. Robinson, CRR, CCR No. B-1973  
My Commission Expires 10/11/2023

WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
352

D I S C L O S U R E

STATE OF GEORGIA ) VIDEOTAPE DEPOSITION OF  
FULTON COUNTY WILLIAM MATTHEW JONES - 1/10/23  
Pursuant to Article 10.B of the Rules and  
Regulations of the Board of Court Reporting  
of the Judicial Council of Georgia, I make the  
following disclosure:

I am a Georgia certified court reporter.  
I am here as a representative of Esquire Deposition  
Solutions, LLC, and Esquire Deposition Solutions,  
LLC was contacted by the offices of U.S. Attorney's  
Office to provide court reporter services for this  
deposition. Esquire Deposition Solutions, LLC will  
not be taking this deposition under any contract  
that is prohibited by O.C.G.A. 9-11-28 (c).

Esquire Deposition Solutions, LLC has no  
contract/agreement to provide court reporter  
services with any party to the case, or any counsel  
in the case, or any reporter or reporting agency  
from whom a referral might have been made to cover  
this deposition.

Esquire Deposition Solutions, LLC will  
charge the usual and customary rates to all parties  
in the case, and a financial discount will not be  
given to any party to this litigation.



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WILLIAM MATTHEW JONES  
UNITED STATES vs STATE OF GEORGIA

January 10, 2023  
354

CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript, and the same is a true and accurate record of the testimony given by me. Any additions or corrections that I feel are necessary, I will attach on a separate sheet of paper to the original transcript.

\_\_\_\_\_  
Signature of Deponent

I hereby certify that the individual representing himself/herself to be the above-named individual, appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, and executed the above certificate in my presence.

\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: